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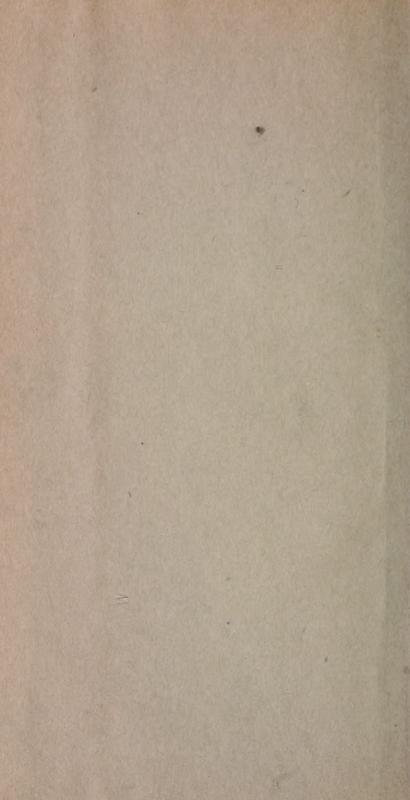
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JOURNALS

OF THE

Senate and Bouse of Commons

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH-CAROLINA,

AT ITS SESSION OF 1854-'55.

RALEIGH:

HOLDEN & WILSON, PRINTERS TO THE STATE.

1855.

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SENATE JOURNAL, 1854-'55.

AT a General Assembly of the State of North Carolina, begun and held in the City of Raleigh, on Monday, the twentieth day of November, Anno Domini, one thousand eight hundred and fifty-four, and the seventy-ninth year of the Independence of the United States of America, being the day appointed by law for the meeting of the General Assembly, the following members of the Senate appeared, exhibited their credentials, and were qualified according to law, viz:—

1st District—Pasquotank and Perquimons—

2d " Camden and Currituck-John B. Jones.

3d "Gates and Chowan-Henry Willey.

4th " Tyrrell and Hyde _ me Eles

5th " Northampton-

6th " Hertford-

7th "Bertie-Joseph B. Cherry.

8th " Martin and Washington-Asa Biggs.

9th " Halifax—M. L. Wiggins,

10th " Edgecombe-

11th " Pitt-B. F. Eborn.

12th "Beaufort-Joshua Tayloe.

13th " Craven-Council B. Wood.

14th "Carteret and Jones—Richard Oldfield.
15th "Greene and Lenoir—James P. Speight.

16th " New Hanover-Owen Fennell.

17th " Duplin-B. W. Herring.

18th "Onslow-E. W. Fonville.

19th "Bladen, Brunswick, Columbus-T. D. McDowell.

20th "Cumberland-Warren Winslow.

21st "Sampson—Thos. I. Faison.

22d "Wayne-C. H. Brogden.

23d "Johnston-L, B. Sanders.

24th " Wake-G. H. Wilder.

25th " Nash-

26th District-Franklin-James Collins.

27th "Warren-Wm. Eaton, Jr.

28th "Granville-

29th "Person-J. W. Cunningham.

30th "Orange-Wm. A. Graham.

31st " Alamance and Randolph-Wm. B. Lane.

32d " Chatham-

33d "Moore and Montgomery—Saml. H. Christian.

34th "Richmond and Robeson-Thos. J. Morisey.

S5th " Anson and Union-Thos. S. Ashe.

36th "Guilford-John A. Gilmer.

37th " Caswell-J. A. Graves.

38th "Rockingham—Geo. D. Boyd.

39th " Mecklenburg—John Walker.

40th "Stanly and Cabarrus—A. C. Freeman.

41st "Rowan and Davie—Charles F. Fisher.

42d " Davidson-760mas

43d "Stokes and Forsyth—J. J. Martin.

44th " Ashe, Surry, Watauga and Yadkin-George Bower.

45th "Wilkes, Iredell and Alexander-Anderson Mitchell.

46th "Burke, McDowell and Caldwell-C. T. N. Davis.

47th "Lincoln, Gaston and Catawba—John F. Heke.

48th "Rutherford and Cleaveland—Columbus Mills.

49th "Buncombe and Henderson, &c .- David Coleman.

50th " Haywood, Macon, Cherokee, &c .-

A quorum consisting of a majority of the whole number of members being present, Mr. Bower nominated WARREN WINSLOW, of Cumberland County, for Speaker.

On motion of Mr. Mitchell, the name of Joseph B. Cherry, was added to the nomination, and the Senate voted as follows:

For Mr. Winslow:—Messrs. Biggs, Bower, Boyd, Brogden, Coleman, Collins, Cunningham, Eaton, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Sanders, Speight, Walker, Wilder and Wood—25.

For Mr. CHERRY:—Messrs. Ashe, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Lane, Mitchell, Morisey, Tayloe, Wiggins and Willey—13.

Mr. W. Winslow voted for Mr. Biggs.

Mr. Cherry voted for Mr MITCHELL.

Mr. Winslow having received a majority of the votes given, was declared duly elected Speaker of the Senate, and being conducted to the chair by Messrs. Bower and Mitchell, made his acknowledgments in an appropriate address.

H. T. Clark, the Senator elect from the county of Edgecombe, (being the 10th Senatorial district,) and John H. Drake, the Senator elect from the county of Nash, (being the 25th Senatorial district,) appeared, produced their credentials, were qualified and took their seats.

Mr. Boyd nominated John Hill for Principal Clerk, and the Senate proceeded to vote, under the superintendence of Messrs. McDowell and Ashe, as follows:

For Mr. Hill:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Collins, Cunningham, Christian, Clark, Coleman, Davis, Drake, Eborn, Eaton, Fennell, Fonville, Faison, Fisher, Freeman, Graham, Gilmer, Graves, Herring, Hoke, Jones, Lane, McDowell, Morisey, Martin, Mitchell, Mills, Oldfield, Speight, Sanders, Tayloe, Willey, Wiggins, Wilder, Walker, and Wood.—42.

Mr Hill having received the whole number of votes cast, was declared duly elected Principal Clerk of the Senate.

On motion of Mr. Graves, Quentin Busbee was duly appointed Assistant Clerk of the Senate.

On motion of Mr. Cunningham, James Page was appointed Principal Doorkeeper of the Senate.

Mr. Coleman nominated John U. Vogler for Assistant Door-keeper; and, on motion of Mr. Graham, the name of Les Couch was added to the nomination.

The Senate then voted as follows:

For Mr. Vogler:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Sanders, Speight, Walker, Wilder, and Wood.—28.

For Mr. Couch:—Messrs. Ashe, Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Lane, Mitchell, Morisey, Tayloe, Wiggins, and Willey.—14.

Mr. Vogler having received a majority of the votes given, was declared duly elected.

John H. Haughton, the Senator elect from the county of Chatham, (being the 32d Senatorial district,) appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Boyd,

Ordered, That a message be sent to the House of Commons informing that body of the due organization of the Senate by the election of Warren Winslow, the Senator from Cumberland county, Speaker; John Hill, Principal Clerk; Quentin Busbee, Assistant Clerk; James Page, and J. U. Vogler, Doorkeepers; and that it is ready to proceed to the dispatch of public business.

On motion of Mr. Hoke,

Resolved, That the rules of order for the government of the fast Senate, be adopted for the government of the present Senate antil otherwise ordered.

On motion of Mr. Graham the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, November 21, 1854.

Received a message from the House of Commons, announcing the due organization of that body by the appointment of Samuel P. Hill, Speaker; James T. Marriott, Principal Clerk; George Howard, Assistant Clerk; Wm. S. Webster, Principal Doorkeeper; and Wm. R. Lovell, Assistant Doorkeeper—and of their readiness to proceed to the dispatch of public business.

On motion of Mr. Boyd,

Ordered, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two on the part of each House, to wait on his Excellency, the Governor, and inform him of the due organization of both branches of the Legislature, and of their readiness to receive any communication he may have to make to them.

Mr. Bower presented a communication from the Secretary of State, in relation to the Public Printing; which was read, and ordered to be sent to the House of Commons.

On motion of Mr. Clark,

Messrs. Clark, Graham, Boyd, Haughton and Sanders, were appointed a Committee to prepare and report Rules for the government of the Senate.

On motion of Mr. Biggs,

Ordered, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of three on the part of the Senate, and five on behalf of the House, to prepare and report Rules for the government of the intercourse between the two Houses.

Received a message from the House of Commons, concurring in the proposition to raise a Joint Select Committee on the part of each House, to wait upon his Excellency, the Governor, and informing that Messrs. J. C. Badham and Josiah Turner constitute the Committee on the part of the House. Whereupon, Messrs. Boyd and Morisey were appointed the Committee on behalf of the Senate.

Mr. Boyd, from the committee appointed to wait on his Excellency the Governor, reported that the committee had performed the duty assigned them, and received for answer that he would be pleased to make a communication to the two Houses to-morrow at 12 o'clock.

Received a message from the House of Commons, transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz:

A Resolution to provide curtains for the two Halls of the General Assembly.

The resolution was read the first time and passed.

On motion of Mr. Cunningham the rules were suspended, and said resolution was read the second and third times, passed, and ordered to be engrossed.

Received a message from the House of Commons, proposing to go into an election for a Solicitor in the fifth judicial circuit tomorrow at 12 o'clock, M., which proposition was agreed to, and Messrs. Faison and Haughton appointed a committee to superintend said election on the part of the Senate, and the House of Commons informed thereof.

Also a message proposing to go into an election for Engrossing Clerk to-morrow at 11 o'clock, A. M. Concurred in; and Messrs. McDowell and Cherry appointed the Senate's branch of the committee to superintend said election, and the House of Commons informed thereof.

Also a message proposing to go into an election for Secretary of State to-morrow at $10\frac{1}{4}$ o'clock. Concurred in; and Messrs.

Cunningham and Willey appointed a committee to superintend said election on behalf of the Senate, and the House of Commons informed thereof by message.

Received a message from the House of Commons, transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz:

A Resolution in favor of Stephen D. Pool.

The resolution was read the first time and passed.

On motion of Mr. Graham the rules were suspended, and the resolution read the second and third times, passed, and ordered to enrolment.

On motion of Mr. Cunningham, the Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, November 22, 1854.

John W. Thomas, the Senator elect from the county of Davidson, (being the 42d Senatorial district,) and Charles McClees, the Senator elect from the counties of Tyrrell and Hyde, (being the 4th Senatorial district,) appeared, produced their credentials, were qualified, and took their seats.

Mr. Boyd introduced a bill to amend the Constitution of North Carolina, which was read, and on his motion, laid on the table and ordered to be printed.

Mr. Biggs introduced a resolution in favor of Oliver H. Perry, which was read the first time and passed; the said resolution, under a suspension of the rules, was read the second and third times, passed, and ordered to be engrossed.

Received a message from the House of Commons stating that the hour of half past ten o'clock having arrived, they would proceed to the election of Secretary of State, according to the joint agreement of the two houses, and that Messrs. Dortch and Horton form their branch of the committee to superintend the election. Whereupon Mr. Graham nominated Wm. Hill for the appointment.

The Senate, under the superintendence of Messrs. Cunningham and Willey, then voted as follows:

For Mr. Hill:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Fisher,

Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Jones, Laue, McClees, McDowell, Martin, Mills, Morisey, Oldfield, Sanders, Speight, Tayloe, Thomas of Davidson, Walker, Wilder, Wiggins, Willey, and Wood.—42.

Mr Cunningham, from the committee appointed to superintend the election of Secretary of State, reported that Wm. Hill having received the whole number of votes given, was duly elected.

Report concurred in.

A message was sent to the House of Commons stating that the Senate have passed the following engrossed resolution, in which they ask the concurrence of that body, to wit:

A resolution in favor of Oliver H. Perry.

Received a message from the House of Commons stating that the hour of 11 o'clock having arrived, they would proceed to vote for Engrossing Clerk, in pursuance of the joint order, and that Messrs. Winston and White (of Gaston) form their branch of the committee to superintend the election.

Mr. Cunningham nominated J. W. Powell for the appointment, and on motion of Mr. Graham, J. T. Wheat, and on motion of Mr. Collins, Wm. H. Joyner were added to the nomination.

The Senate under the superintendence of Messrs. McDowell and Cherry, then voted as follows:

For Mr. JOYNER:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Collins, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Herring, Hoke, Jones, McDowell, Mills, Mitchell, Oldfield, Speight, Walker, Wilder and Wood—24.

For Mr. Wheat:—Messrs. Ashe, Cherry, Christian, Coleman, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Tayloe, J. W. Thomas and Willey—15.

For Mr. Powell:—Messis. Cunningham, Graves, Martin, Morisey, Sanders and Wiggins—6.

Received a message from the House of Commons, concurring in the proposition of the Senate, to raise a Joint Select Committee of three on the part of the Senate, and five on the part of the House, to prepare and report joint rules of order for the government of the intercourse between the two Houses, and informing that Messrs. J. M. Leach, Settle, Carmichael, Jordan and Martin, constitute the committee on the part of the Commons; whereupon,

Messrs. Sanders, Cherry and Biggs, were appointed the committee on the part of the Senate, and the House informed thereof by message.

Mr. Cherry, from the committee appointed to superintend the election of Engrossing Clerk, reported, that no person in nomination having received a majority of the votes given, there is no election.—Report concurred in.

On motion of Mr. McDowell,

Ordered, That a message be sent to the House of Commons, proposing to vote again forthwith for an Engrossing Clerk.

Received a message from the House of Commons, concurring in the proposition of the Senate to vote again forthwith for Engrossing Clerk, and informing that Messrs. Williams, of Warren, and Love, are the House branch of the committee to superintend the election; whereupon, under the superintendance of Messrs. Cherry and McDowell, the Senate voted as follows:

For Mr. JOYNER:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Collins, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Herring, Hoke, Jones, McDowell, Mills, Mitchell, Oldfield, Sanders, Speight, Walker, Wilder and Wood—25.

For Mr. WHEAT:—Messrs. Ashe, Cherry, Christian, Coleman, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Morisey, Tayloe, J. W. Thomas, Wiggins and Willey—17.

For Mr. Powell:—Messrs. Cunningham, Graves and Martin—3.

Received a message from the House of Commons proposing to raise a joint select committee of eight on the part of the House, and five on the part of the Senate, on the revisal of the Statutes.

On motion of Mr. Graham,

Ordered, That the message be laid on the table.

Mr. McDowell, from the committee appointed to superintend the election for Engrossing Clerk, reported that no one having received a majority of the whole number of votes given, there is no election. Concurred in.

Mr. McDowell nominated Robert Strange for Solicitor of the Fifth Judicial circuit. And on motion of Mr. Cherry, the name of Ralph P. Buxton was added to the nomination. Whereupon a message was sent to the House of Commons informing, them thereof.

Received a message from the Honse of Commons stating that the hour of 12 o'clock having arrived, they would proceed to vote for a Solicitor of the Fifth Judicial circuit, according to the joint order; that Robert Strange and Ralph P. Buxton are in nomination for the appointment, and that Messrs. Shepherd and Bryson form their branch of the committee to superintend the election.

The Senate, under the superintendence of Messrs. Faison and Haughton, then voted as follows:

For Mr. Strange:—Messis. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Graves, Haughton, Herring, Hoke, Jones, McDowell, Martin, Mills, Morisey, Oldfield, Sanders, Speight, Walker, Wilder, and Wood—31.

For Mr. Buxton:—Messrs. Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Lane, McCleese, Mitchell, Tayloe, J. W. Thomas, Wiggins, and Willey.—14.

Mr. Haughton, from the committee appointed to superintend the election of Solicitor of the Fifth Judicial circuit, reported that Robert Strange had received one hundred votes and Ralph P. Buxton sixty votes, and that Robert Strange, having received a majority of the whole number of votes given, was duly elected.

Report concurred in.

On motion of Mr. Hoke the Senate adjourned until to-morrow morning, 11 o'clock.

THURSDAY, November 23, 1854.

Received a message from the House of Commons, transmitting the message of his Excellency, the Governor, and accompanying Documents, with a proposition to print 10 copies of the message, and one copy of the accompanying documents for each member of the Legislature.

The message was read and the proposition to print agreed to, with the exception of the Journal of proceedings of a convention for the purpose of considering the propriety of creeting one or more Monuments in Independence Square, Philadelphia; of which the House of Commons were informed by message.

Mr. Clark, from the committee appointed to prepare and report rules of order for the government of the Senate, reported the following, and recommended their adoption, viz:—

RULE 1st. When the Speaker takes the Chair, each member shall take his seat: and on the appearance of a quorum, the Journal of the preceding day shall be read.

RULE 2d. After the reading of the Journal of the preceding day, the Senate shall proceed to business in the following order,

namely:

1st. The receiving peritions, memorials, pension certificates and papers, addressed either to the General Assembly or to the Senate; 2d. The reports of Standing Committees; 3d. The reports of Select Committees; 4th. Resolutions; 5th. Bills; 6th. Bills, resolutions, petitions, memorials, messages, pension certificates and other papers on the table. Then the order of the day; but motions and messages to elect officers shall always be in order.

Rule 3d. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker, and shall confine himself to the question under debate, and avoid personality. And when two or more members happen to rise at once, the Speaker shall name the one who is first to speak. No member shall speak oftener than twice on the same question, without leave of the House. And when any member is speaking, he shall not be interrupted by any person; either by speaking or by standing or passing between him and the Chair.

Rule 4th. All bills and resolutions introduced shall pass, as a matter of course, the first reading.

RULE 5th. If any member in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may call him to order; in which case the member so called to order, shall immediately sit down, unless permitted to explain: and the House shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to: If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the House.

RULE 6th. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions, shall have precedence in the order they stand arranged; and the motion for adjournment shall always be in order, and decided without debate.

RULE 7th. Questions may be stated by the Speaker sitting, but shall be put standing. Questions shall be distinctly put in this form: Senators, as many as are of opinion (as the case may be,) say aye," and after the affirmative voice is expressed; "as many as are of a contrary opinion, say no." If the Speaker doubt as to the voice of the majority, or a division be called for, the Speaker shall call on those in the affirmative of the question to rise from their seats, and afterwards, those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the number, in the affirmative; which being reported, he shall then name two others, one from each side, to tell those in the negative: which being also reported, he shall state the division to the House; and announce the division. No member who was without the bar of the Senate when any question was put by the Chair, shall enter his yea or nay without leave, unless he shall have been absent on some committee, and the row of pillars shall be the bar of the Senate.

After a member has once voted on any question or in any election, he shall not be permitted to change his vote, unless it has been given under a misapprehension of facts.

RULE 8th. When any member shall make a motion which is not of course, he shall reduce the same to writing if required.

RULE 9th. In all cases of election by the House, the Speaker shall vote, and when on a division, there shall be an equal number of votes, the Speaker shall decide the question. In no other case shall he vote, unless his vote, if given to the minority, will make the division equal, and when an equal division is produced by the Speaker's vote, the question shall be lost.

RULE 10th. No member shall depart the service of the House without leave, or receive any pay as a member, for the time he is absent.

RULE 11th. Petitions, memorials and other papers addressed to the House shall be presented by the Speaker, or by a member in his place, a brief statement of the contents thereof shall verbally be made by the introducer, and the petition, memorial or other paper shall not be read, unless so ordered by the House.

RULE 12. Resolutions for the appropriation of public money, and all resolutions of a public nature, as well as all bills, shall be

read the first time for information, and upon this reading shall not be subject to amendment, but may be amended on the second and third reading; and the clerk shall keep a calendar of all such resolutions and bills with the orders taken on them for the inspection of the members of the Senate.

RULE 13th. All bills of a public nature when ready for the second reading, shall be noted to be read at least one day previous thereto; and then shall be first read for information, and afterwards paragraph by paragraph, and held open for amendment.

RULE 14th. After a bill has been once rejected, postponed indefinitely, or to a day beyond the Session, another of like provisions shall not be introduced during the same session.

RULE 15th. When a question has been once decided, it shall be in order for any member in the majority to move for a reconsideration thereof, on the same or succeeding day, if the bill, resolution or paper upon which the question has been taken, be in possession of the Senate, and no bill or resolution of a public nature shall be sent from the Senate, until 12 o'clock the succeeding day.

RULE 16th. When an amendment to be proposed to the Constitution is under consideration, a concurrence of two-thirds or three-fifths of the members present shall not be requisite to decide any question for amendment, or extending to the merits, short of the final question.

Rule 17th. When any question may have been decided by the Senate in which three-fifths or two-thirds of the members present are necessary to carry the affirmative, any member who voted on that side which prevailed in the question, may be at liberty to move a reconsideration, and a motion for reconsideration shall be decided by a majority of votes.

Rule 18th. The Speaker shall examine and correct the Journal before it is read; he shall have the general direction of the hall; he shall designate the members who shall compose all committees, except when otherwise ordered, and the select committees of this house shall consist of five members.

Rule 19th. There shall be appointed by the Speaker the following committees, viz., a committee of Propositions and Grievances, a committee of Privileges and Elections, a committee of Claims, a committee on the Judiciary, a committee on Internal

Improvements, a committee on Education and the Literary Fund, a committee on Corporations, consisting of seven members each, and a committee on Public Buildings, to consist of three members.

RULE 20th. When the House resolves itself into a committee of the Whole the Speaker shall leave the chair and appoint a chairman, and when upon any other occasion the Speaker wishes to leave the chair, he shall appoint a Speaker pro tem.

Rule 21st. When any petition, memorial, or other paper addressed to the House shall have been referred either to one of the standing or select committees, they shall, in their report on the petition, memorial, or other paper, make a statement in writing of the facts embraced in the case so referred.

RULE 22d. In case of any disturbance or disorderly conduct in the lobby or gallery, the Speaker, or Chairman of the committee of the Whole House, shall have power to have the same cleared.

RULE 23d. No person except members of the House of Commons, officers and clerks of the two houses of the General Assembly, Judges of the Supreme and Superior Courts, officers of the State resident at the seat of Government, members of Congress, persons particularly invited by the Speaker, and such gentlemen as have been members of either house of the Legislature, shall be admitted within the hall of the Senate.

Rule 24th. Any member dissatisfied with the decision of the Speaker on any question of order may appeal to the House.

RULE 25th. When the House adjourns, the members shall keep their seats till the Speaker leaves the chair.

RULE 26th. On motion of adjournment the question shall be decided without debate.

RULE 27th. The rules for the government of the Senate shall not be amended or altered without giving at least one day's notice of such amendment or alteration, except by the consent of two-thirds of the members present.

Whereupon said report was concurred in and rules adopted, with the exception of an amendment reported by the committee to section seven of the former rules of the Senate, which, on motion of Mr. Hoke, was ordered to be stricken out.

On motion of Mr. Clark,

Ordered, That a message be sent to the House of Commons proposing to print in pamphlet form the Constitution of the United States, the Constitution of North Carolina, the rules of order of the Senate, the rules of order of the House of Commons, and the joint rules of the two Houses, one copy for each member of the Legislature, one copy for each of the principal and assistant clerks, and ten for the public library.

The Speaker announced the appointment of the following committees:

On Propositions and Gievances:—Messrs. Boyd, Brogden, Mitchell, McClees, Faison, Sanders, and Mills.

On Claims:—Messrs. Drake, Willey, Jones, Freeman, Collins, Davis, and Graves.

On the Judiciary:—Messrs. Hoke, Graham, Eaton, Ashe, Coleman, Wilder, and Haughton.

On Privileges and Elections:—Messrs. Herring, Tayloe, Wiggins, Oldfield, Fonville, McClees, and Biggs.

On Internal Improvements:—Messrs. Fisher, Walker, Gilmer, Cherry, Christian, Wood, and Oldfield.

On Corporations:—Messrs. McDowell, Speight, Thomas of Davidson, Tayloe, Morisey, Fennell, and Mills.

On Education and the Literary Fund:—Messrs. Clark, Cunningham, Eborn, Lane, Bower, Martin, and Biggs.

Mr. McDowell presented the petition of sundry citizens of Cumberland county, praying the General Assembly for the incorporation of a bank to be located at Fayetteville, with a bill to incorporate the Bank of Clarendon, at Fayetteville. The bill was read the first time and passed, and, on motion, ordered to be printed, and, with the memorial, referred to the committee on Corporations.

Mr. Bower moved that a message be sent to the House of Commons proposing to go into the election of United States Senator forthwith, for the residue of the term of six years commencing on the 4th of March, 1853, and nominated David S. Reid for the appointment.

Mr. Clark moved to amend the motion of Mr. Bower, by striking out forthwith and inserting to-morrow at 12 o'clock, M., which amendment was agreed to, and the message ordered to be sent accordingly.

Mr. Bower introduced a bill to repeal so much of an act passed

in 1852, as provides for the appointment of a Superintendent of Common Schools, which was read the first time and passed.

Mr. Christian moved that the Senate do now adjourn until tomorrow morning, 11 o'clock, which motion was decided in the negative. Ayes 19, noes 20.

Mr. Bower demanded the yeas and nays.

Those who voted in the affirmative are:—Messrs. Ashe, Brogden, Cherry, Christian, Collins, Davis, Freeman, Gilmer, Graham, Haughton, Lane, McClees, McDowell, Mitchell, Morisey, J. W. Thomas, Wilder, Wiggins and Willey—19.

Those who voted in the negative are:—Messrs. Biggs, Bower, Boyd, Clark, Coleman, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Graves, Herring, Jones, Martin, Oldfield, Sanders, Speight and Wood—20.

Ou motion of Mr. Gilmer, the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, NOVEMBER 24, 1854.

Mr. Morisey introduced the following resolution, viz:

Resolved, That the Principal Clerks of the two Houses, be authorised and instructed under the direction of the Speakers thereof, to purchase two clocks for the use of the General Assembly; one to be placed in each Chamber, and to draw upon the public Treasurer for the amount necessary to defray the expenses thereof. The resolution was read the first time and passed. On motion, the rules were suspended, and the resolution read the second time. Mr. Bower, moved that the resolution be laid on the table, which motion was not agreed to; the resolution then passed the second reading, and under a suspension of the rules was read a third time, passed, and ordered to be engrossed.

Mr. Cunningham called up the bill to repeal so much of an act passed in 1852, as provides for the appointment of a Superintendant of Common Schools; when on his motion, the said bill was referred to the committee on Education and the Literary Fund.

Mr. Haughton introduced a bill to incorporate the McIver Coal Mining Company, and for other purposes, which was read the first time, passed, and on motion, referred to the committee on Corporations.

On motion of Mr. Biggs, the vote by which the bill to incorporate the Bank of Clarendon at Fayettevile, was ordered to be printed, was reconsidered, and the motion to print disagreed to.

On motion of Mr. Clark,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select committee of three members from the Senate, and three from the House of Commons, to take into consideration the general subject of public printing, and of the printing and distribution of bills, documents and other matters ordered by either branch of the General Asssembly.

Received a message from the House of Commons, stating, that they concur with the Senate in refusing to print the document accompanying the Governor's message, in relation to the erection of one or more Monuments in Independence Square, Philadelphia.

Also, a message proposing to raise a Joint Select committee of five on the part of the House, and three on the part of the Senate, to take into consideration all matters relating to the Lunatic Asylum. Concurred in; and a message sent to the House of Commons, stating that the committee on the part of the Senate, consists of Messrs. Mills, Cherry and Eaton.

A message was sent to the House of Commons stating that the Senate have passed the accompanying engrossed resolution, viz., a resolution authorizing the purchase of two clocks for the use of the General Assembly, in which they ask the concurrence of the House.

Received a message from the House of Commons stating that they concur in the proposition of the Senate to go into the election of Senator of the United States to represent the State for the residue of the term commencing on the 4th of March, 1853, at 12 o'clock this day, and informing that Messrs. Jordan and Winston constitute the committee on the part of the House, and that Daniel M. Barringer is in nomination for the appointment. Also a message proposing to go into the election of United States Senator for the term of six years from the 4th of March, 1855, on Saturday next at 11 o'clock. Concurred in, and the House of Commons informed thereof, and that the committee on the part of the Senate to superintend the election consists of Messrs. Bower and Gilmer.

Received a message from the House of Commons proposing to go forthwith into the election for Engrossing Clerk. Concurred in, and the House of Commons informed that Messrs. McClees and Oldfield form the Senate's branch of the committee to superintend the election.

Received a message from the House of Commons informing that Messrs. Sherrell and Bogle form the committee to superintend the election for Engrossing Clerk, and that they would proceed to vote on the return of the messenger.

The Senate then voted as follows:

For Mr. JOYNER:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Collins, Drake, Faison, Fennell, Fisher, Fonville, Herring, Hoke, Jones, McDowell, Mills, Oldfield, Speight, Walker, and Wood.—21.

For Mr. Wheat:—Messis. Ashe, Cherry, Christian, Coleman, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Tayloe, Wiggins, and Willey.—17.

For Mr. Powell:—Messrs. Cunningham, Graves, Martin, Sanders, and J. W. Thomas.—5.

On motion of Mr. Cherry,

Ordered, That a message be sent to the House of Commons proposing to appoint a joint select committee of three on the part of the Senate, and five on the part of the House of Commons, to be called the committee on Swamp Lands.

The Speaker announced that the committee on Public Buildings consists of Messrs. Wilder, Morisey, and Sanders.

Received a message from the House of Commons proposing to go into the election of a Solicitor of the Second Judicial circuit this day at half past 12 o'clock.

Concurred in, and a message sent to the House of Commons informing that Messrs. Wood and Wiggins form the Senate's branch of the committee to superintend the election.

Mr. McClees, from the committee appointed to superintend the election for Engrossing Clerk, reported that no person in nomination having received a majority of the votes given, there is no election. Concurred in.

On motion of Mr. Mills,

Ordered, That a message be sent to the House of Commons proposing to go again forthwith into the election of Engrossing Clerk.

Received a message from the House of Commons stating that the name of Mr. Wheat is withdrawn from the nomination for Engrossing Clerk.

Mr. Graham introduced the following resolution, viz:

Resolved, That the Clerks of the Senate be instructed to procure, from the Library or elsewhere, six full copies of the Public Statutes now in force; for the use of the members and committees of the Senate, one of which shall at all times be kept on the Clerk's table.

Read first time and passed, and under a suspension of the rules, read second and third times, and passed.

Received a message from the House of Commons concurring in the proposition of the Senate, to go forthwith into the election of Engrossing Clerk, and announcing that Messrs. Rose and Shaw, constitute the committee on their part, to superintend the election.

The Senate, under the superintendance of Messrs. McClees and Oldfield, then voted as follows:

For Mr. JOYNER:—Messrs. Biggs, Bower, Boyd, Brogden, Clark, Collins, Drake, Eaton, Faison, Fisher, Fonville, Herring, Hoke, Jones, McClees, McDowell, Oldfield, Sanders, Speight, Walker, Wilder and Wood—22.

For Mr. Powell:—Messrs. Speaker, Ashe, Cherry, Christian, Coleman, Cunningham, Davis, Eborn, Fennell, Freeman, Gilmer, Graham, Graves, Haughton, Lane, Martin, Mills, Mitchell, Morisey, Tayloe, J. W. Thomas, Wiggins and Willey—23.

A message was sent to the House of Commons, stating that the hour of 12 o'clock having arrived, the Senate would proceed to vote for United States Senator in pursuance of the joint order; that Messrs. Faison and Willey, constitute the committee on the part of the Senate, to superintend the election, and that the Senate would vote upon the return of the messenger.

The Senate then voted as follows:

For Mr. Reid:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Sanders, Speight, Walker, Wilder and Wood—28.

For Mr. Barringer: —Messis. Ashe, Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Tayloe, J. W. Thomas and Wiggins—16.

Mr. Willey voted for Mr. RAYNER.

Mr. McClees, from the committee appointed to superintend the election for Engrossing Clerk, reported, that Mr. Joyner received 80 votes, and Mr. Powell 81 votes, that 81 being a majority of the whole number of votes given, Mr. Powell is elected. Concurred in.

Received from the House of Commons, a message stating that they have adopted the following Joint Rules for the government of the intercourse between the two Houses, and ask the concurrence of the Senate in the same, viz:

RULE 1st. Each House shall perfect and finally act on all bills, resolutions and orders, before the same shall be communicated to the other for its concurrence, and if amended in the House to which it is transmitted, it shall be communicated to the House in which it originated, asking the concurrence of that House in the amendment.

RULE 2. In any case of amendment of a bill, resolution or order, agreed to in one House, and disagreed to in the other, if either House shall request a conference, and appoint a committee for that purpose, the other House shall also appoint a committee to confer. Each committee shall consist of an equal number, and they shall meet and state to each other the reasons of their respective Houses for and against the amendment, and confer freely thereon, and make a report in writing to their respective Houses, of the result of their conference.

Rule 3. Messages from one House to the other shall be sent by the Clerk Assistant to each House, unless otherwise ordered.

RULE 4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent by the Door Keeper, and shall be respectfully delivered to the Chair, by the person by whom it may be sent.

Rule 5. After a bill shall have passed the Honse in which it originated, it shall be under the signature of the Clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.

RULE 6. After a bill shall have passed both Houses, it shall be duly enrolled on suitable paper by the Engrossing Clerk, before it shall be presented for radification.

RULE 7. The two preceding sections shall not apply to the Re-

vised Statutes, so as to require them to be transcribed; but the printed Statutes may be used for engrossment and enrollment, and when amendments are made, such amendments shall be appropriately engrossed and enrolled upon the printed Statutes, or upon suitable paper attached thereto.

Rule 8. When bills are enrolled, they shall be carefully examined by a joint committee of three from the Senate, and five from the House of Commons, whose duty it shall be to carefully compare the enrollment with the engrossed bills, as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of the said bills to the House.

RULE 9. After examination and report, each bill shall be ratified and signed in the respective Houses; first by the Speaker of the House of Commons, and then by the Speaker of the Senate.

RULE 10. All orders, resolutions, and votes of the Houses, shall be examined, engrossed, and signed in the same manner as bills.

RULE 11. When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

RULE 12. The committee in each House shall in all cases make a statement of facts on which their report is founded, which statement, with all other papers on which any bill or resolution may be formed, shall be transmitted to the other House.

RULE 13. The committee of Finance shall be joint, consisting of eight members from each House; the Library committee shall be a joint standing committee, consisting of three members from each House, appointed by the Speakers thereof respectively. There shall also be a joint committee on the Revised Statutes, consisting of eight members of the House of Commons and five members of the Senate, to be appointed by the Speakers of the two Houses respectively, to which committee shall be referred the Statutes reported by the commissioners, except the chapter entitled Revenue, which shall be referred to the committee of Finance.

RULE 14. In all joint committees the member first named on the committee on the part of the House proposing to raise such committee shall convene the same, and when met, they shall . choose their own chairman.

Rule 15. Either House may make a reference to any joint committee, and all reports shall be made to the House ordering such reference.

Rule 16. Whenever either House shall order any paper or document to be printed, it shall be printed in octavo form, on good paper, and with fair type, and those documents ordered to be printed by the Senate, shall be printed as "Senate Documents," and those ordered to be printed by the House of Commons shall be printed as "House Documents," and numbered in regular order, except when communications are made to either House by the Governor, Treasurer, Comptroller, or Secretary of State, and are ordered to be printed: they shall be designated as "Executive Documents;" and said papers and documents shall be distributed in the following manner, one copy thereof to each member of the General Assembly, one copy to the clerks of each House, for the use thereof, and ten copies shall be deposited in the public library, and the Public Librarian be required to have them neatly bound.

RULE 17. All elections requiring a joint vote shall be viva voce, and a select committee of two members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said select committees shall confer together and report the result of the election to their respective Houses.

RULE 18. The foregoing rules shall be permanent joint rules of the Legislature of North Carolina, until altered or amended.

The rules being read,

Mr. Graham moved to amend the 13th section of the same so as to provide for the appointment of six members of the committee on the Revised Statutes on the part of each House. The amendment was concurred in, and the rules adopted as amended.

Whereupon a message was sent to the House of Commons asking their concurrence in the amendment of the Senate.

Received a message from the House of Commons stating that the House branch of the committee to superintend the election of Solicitor for the Second Judicial circuit consists of Messrs. Love and Chadwick, that Messrs. George S. Stevenson and George Green are in nomination for the appointment, and that according to the joint order the House will proceed to vote on the return of the messenger.

The Senate, under the superintendence of Messrs. Wiggins and Wood, then voted as follows:

For Mr. Stevenson:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Sanders, Speight, Walker, Wilder, and Wood.—29.

For Mr. Green:—Messrs: Ashe, Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, Mitchell, Morisey, Tayloe, J. W. Thomas, Wiggins, and Willey.—16.

Mr. Faison, from the committee appointed to superintend the election of United States Senator, reported, that Mr. Reid received 92 votes; Mr. Barringer 65 votes; K. Rayner 1 vote; H. L. Holmes 1 vote; Burton Craige 1 vote, and John Kerr 1 vote. That David S. Reid having received a majority of the whole number of votes given, is duly elected. Report concurred in.

On motion of Mr. Biggs,

Resolved, That H. S. Smith be appointed Engrossing Clerk, and his duty shall be to act as clerk of the joint committee on the Revised Statutes, and attend to the engrossment and enrollment of the said Statutes.

Ordered, That a message be sent to the House of Commons, asking their concurrence in the same.

On motion of Mr. Gilmer, the Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, NOVEMBER 25, 1854.

The Speaker announced that the Senate branch of the Joint committee on the Public Library, consists of Messrs. Brogden, McClees and Fonville; of which the House of Commons were informed by message.

Mr. Wiggins, from the committee appointed to superintend the election of Solicitor of the 2nd Judicial Circuit, reported, that Mr. Stevenson having received a majority of the whole number of votes given, is duly elected. Report concurred in.

Mr. Fisher introduced a bill to provide for the election of a Council of select men in the several counties of the State, and to prescribe the powers and duties of the same, and also for other purposes; which was read the first time, passed, and on motion,

referred to the committee on the Judiciary. On motion of Mr. Cherry, ordered, that said bill be printed.

Received a message from the House of Commons, stating that they concur in the proposition of the Senate, to raise a joint select committee of three on the part of each House, to take into consideration the general subject of the public printing, &c., and that their branch of the committee consists of Messrs. Lancaster, Mann and McMillatt.

Whereupon, the House of Commons were informed, that the committee on the part of the Senate consists of Messrs. Clark, Haughton and Cunningham.

Also a message from the House of Commons, announcing that Messrs. Yancy and Stubbs form their branch of the committee to superintend the election of United States Senator.

Received a message from the House of Commons, stating that they concur in the proposition of the Senate to raise a joint select committee of three on the part of the Senate, and five on the part of the House, to be called the committee on the swamp lands; and that the House branch of the committee consists of Messrs. Jordan, Stubbs, Selby, Gilliam and Williams, of New Hanover.

Whereupon, the House of Commons were informed that the committee on the part of the Senate, consists of Messrs. Cherry, Biggs and Jones.

On motion of Mr. Hoke, leave of absence was granted to the Senator from Warren, from and after Monday, until Friday next.

On motion of Mr. Walker,

Resolved, That so much of the Governor's message as relates to increasing the principal of the Literary Fund be referred to the committee on Education and the Literary Fund.

- 2. Resolved, That so much of the Governor's message as relates to Internal Improvements, be referred to the committee on Internal Improvements.
- 3. Resolved, That so much of the Governor's message as relates to the election of Judges and Justices of the Peace by the people, be referred to the committee on the Judiciary.
- 4. Resolved, That so much of the Governor's message as relates to Common Public Highways, be referred to the committee on Propositions and Grievances.
- 5. Resolved, That so much of the Governor's message as relates to Revenue be referred to the committee on Finance.

6. Resolved, That so much of the message as relates to the Judicial Circuits, Judges and Attorney General, be referred to the committee on the Judiciary.

On motion of Mr. Hoke.

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee on Military Affairs, consisting of three members on the part of the Senate and five on the part of the House of Commons.

Received a message from the House of Commons, announcing that Geo. E. Badger, and Thos. L. Clingman are in nomination for United States Senator.

Whereupon, on motion of Mr. Bower, the name of Asa Biggs was added to the nomination.

According to the joint order, the Senate, under the superintendence of Messrs. Bower and Gilmer, voted as follows:

For Mr. Biggs:—Messis. Speaker, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Sanders, Speight, Walker, Wilder and Wood—27.

For Mr. Badger:—Messis. Ashe, Cherry, Christian, Davis, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Tayloe, Thomas of Davidson, Wiggins, Willey—17.

Received a message from the House of Commons proposing to raise a joint select committee of five on the part of the House and three on the part of the Senate, to take into consideration that portion of the Governor's message which relates to the Deaf and Dumb and Blind. Concurred in, and the House of Commons informed that Messrs. Sanders, Tayloe, and Speight constitute the Senate branch of the committee on the subject.

Also a message proposing to raise a joint select committee of three on the part of the House and two on the part of the Senate, to take into consideration the recommendation of the Governor in relation to the erection of a monument on the Capitol square. Concurred in, and the House of Commons informed that Messrs. Coleman and Ashe constitute the committee on the part of the Senate.

The Speaker announced that Messrs. Bower, Graham, Biggs,

Wilder, Walker, Ashe, Gilmer, and Clark constitute the Senate branch of the joint committee on Finance, and the House of Commons informed thereof by message.

Mr. Bower, from the committee appointed to superintend the election of United States Senator, reported that the whole number of votes cast was 160, of which Asa Biggs received 91 votes and Geo. E. Badger 69 votes; that Mr. Biggs, having received a majority of the whole number of votes given, is duly elected.

Report concurred in.

Received a message from the House of Commons proposing that the Speakers of the two Houses inform his Excellency Gov. Reid of his election to the United States Senate.

Concurred in.

On motion of Mr. Herring the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, November 27, 1854.

Received a message from the House of Commons, proposing to go into the election of Solicitor of the 4th Judicial Circuit, on Wednesday next at 11 o'clock. Concurred in; and the House of Commons informed that the Senate's branch of the committee to superintend the election, consists of Messrs. Wilder and Freeman.

Also a message, stating that the House of Commons concur in the proposition of the Senate, to raise a joint select committee on military affairs, and informing that their branch of the committee, consists of Messrs. Dargan, Humphrey, Holland, Bryson and Wright.

Whereupon, Messrs. Hoke, Mitchell and Brogden, were appointed the committee on the part of the Senate, and the House of Commons informed thereof.

Received a message from the House of Commons, proposing to print in pamphlet form the Constitution of the United States, the Constitution of North Carolina, the Rules of the Senate, the Rules of the House of Commons, and the Joint Rules of the two Houses; one copy for each member of the General Assembly, and one for each of the clerks, and ten copies to be deposited in the Public Library. Concurred in.

The same message stated, that the House of Commons concur

in the amendment of the Senate, to section 13 of the Joint Rules of the two Houses.

On motion of Mr. Graham,

R solved, That the committee on public buildings, be directed to enquire into the expediency of gravelling the earth for a distance of thirty feet around the base of the State Capitol, as a means of preserving the building from decay, and likewise into the expediency of further improvements in Union Square, so as to conform the same to the building situated thereon.

William H. Thomas, the Senator elect from the counties of Haywood, Macon, Cherokee and Jackson, (being the 50th Senatorial District,) appeared, produced his credentials, was qualified, and took his seat.

On motion, Mr. Biggs was excused from further service on the joint committee of Finance, and Mr. Boyd appointed a member of said committee in his place.

The Speaker announced that the Senate's branch of the joint committee on the Revised Statutes, consists of Messrs. Biggs, Graham, Eaton, Ashe, Fisher and Hanghton.

On motion, William H. Thomas was added to the standing committee on Internal Improvements.

On motion of Mr. Bower,

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee of two on the part of each House, to make the necessary arrangements for counting the votes polled for Governor, at the last August election.

Mr. Thomas of Jackson, introduced a bill to amend an act passed at the session of 1852 and 1853, entitled an act to incorporate the Charleston Blue Ridge and Chattanooga Railroad Company, which was read the first time and passed, and, on motion, referred to the committee on Internal Improvements.

Received a message from the House of Commons, stating that the House branch of the committee on the Lunatic Asylum, consists of Messrs. Dortch, Barringer, Blow, Amis and Shepherd.—Also, that the House branch of the committee on monuments, consists of Messrs. Hill, Johnson and Regan. Also, that the House branch of the committee on the Deaf and Dumb Asylum, consists of Messrs. Jordan, Barringer, Williams of Warren, Phillips and Mebane.

And that the House branch of the committee on the Revised Statutes, consists of Messrs. Shepherd, Dargan, Jordan, Winston, Amis and Dortch.

On motion of Mr. Tayloe,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of passing a lein law for the protection of ship carpenters, house carpenters and others.

On motion of Mr. Thomas of Jackson,

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of adopting a uniform guage for all Railroads, which may be authorised to be constructed within the limits of the State, and that they report thereon.

On motion of Mr. Martin, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, November 28, 1854.

The Speaker laid before the Senate the report of the Commissioners appointed to Revise the Statutes of the State of North Carolina, with accompanying documents; which was read.

On motion of Mr. Biggs the report and accompanying documents were ordered to be transmitted to the House of Commons, proposing that the report be referred to the joint committee of the two Houses on the Revised Statutes, and that the documents be placed in the hands of said committee for distribution.

Kenneth Rayner, the Senator from the county of Hertford, (being the sixth Senatorial district,) appeared, produced his credentials, was qualified, and took his seat.

Received a message from the House of Commons announcing that their branch of the joint committee on Finance consists of Messrs. Shepherd, Mebane, Cansler, Steele, Patterson, White of Bladen, Smith, and Long.

Also that the House branch of the committee on the Public Library consists of Messrs. Houston, Vance, and Jenkins.

Also that the House branch of the committee on Enrolled Bills consists of Messrs. Bynum of Northampton, Cook, Love, J. H. Headen and Yancey.

Whereupon the House of Commons were informed that Messrs. Clark, Wiggins, and Martin constitute the committee on the part of the Senate.

Received a message from the House of Commons proposing to raise a joint committee of five on the part of the House, and three on the part of the Senate, to take into consideration so much of the Governor's message as relates to the subject of Cherokee lands and the Western Turnpike Road.

The proposition was concurred in, and the House of Commons informed that the Senate's branch of the committee consists of Messrs. Thomas of Jackson, Rayner, and Bower.

Received a message from the House of Commons stating that they have passed the following engrossed bill, in which they ask the concurrence of the Senate, viz., a bill to repeal the 18th section, and part of the 11th section of the act entitled an act for the improvement of Elizabeth City, in the county of Pasquotank.

The bill was read the first time and passed.

On motion of Mr. Cherry the rules were suspended and said bill read the second and third times, passed, and ordered to be enrolled.

Mr. Boyd introduced a bill to make compensation to the Justices of the Peace for taking lists of taxable property, which was read the first time and passed.

On motion of Mr. Jones,

Resolved, That the committee on Education and the Literary Fund inquire into the expediency of amending the provisions of the statute in relation to Common Schools, so as to authorize a poll to be opened in each county, at the next general election, to ascertain the wishes of the people as to an increase of the fund for the support of Common Schools by taxation; and in every county where a majority of votes approve it, the county court to have power by taxation so to increase the fund, as to keep up the schools in that county for twelve months.

Mr. Coleman introduced a bill to incorporate the French Broad Railroad Company, which was read the first time, passed, and on motion referred to the committee on Internal Improvements and ordered to be printed.

On mo ion, Messrs. Graham and Ashe were excused from further service on the committee on Finance, and Messrs. Rayner and Cherry appointed in their places.

Received a message from the House of Commons proposing to raise a joint select committee of three on the part of the Senate

and five on the part of the House, to be called a committee on the subject of Banking.

Mr. Gilmer moved that the message be laid upon the table, which was disagreed to.

The proposition of the House was then concurred in.

On motion of Mr. Graves,

Ordired, That a message be sent to the House of Commons proposing to go into the election of Comptroller of Public Accounts forthwith.

Received a message from the House of Commons announcing their concurrence in the proposition of the Senate to go forthwith into the election of Comptroller of Public Accounts; that the committee on the part of the House to superintend the election consists of Messrs. Hill and Cotton; and that George W. Brooks is in nomination for the appointment. Whereupon, under the superintendence of Messrs. Graves and Lane, the Senate voted as follows:

For Mr. Brooks:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Drake, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Graves, Haughton, Herring, Hoke, Jones, McCtees, McDowell, Martin, Mills, Morisey, Oldfield, Rayner, Sanders, Speight, Tayloe, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, and Wood.—39.

For A. J. TERRELL:—Messrs. Davis, Gilmer, Lane and Thomas of Davidson.

Mr. Thomas of Davidson introdued a bill to incorporate the Yadkin Plank Road Company; which was read the first time and passed.

Mr. Haughton introduced a bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes; which was read the first time and passed, and, on motion, referred to the committee on Internal Improvements, and ordered to be printed.

Mr. Graves, from the committee appointed to superintend the election of Comptroller of public accounts, reported that George W. Brooks having received a majority of the whole number of votes given, is duly elected. Report concurred in.

Mr. Christian introduced a bill, accompanied by a memorial,

concerning the Fayetteville and Centre Plank Road Company; which was read the first time and passed, and, on motion, said bill and memorial were referred to the committee on Internal Improvements.

On motion of Mr. Cherry, the vote of the Senate concurring in the message of the House of Commons, which proposes to raise a joint select committee of three on the part of the Senate, and five on the part of the House, to be called a committee on the subject of Banking, was reconsidered. Wherereupon, on motion, said message was ordered to be laid on the table.

On motion of Mr. Cherry,

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee of five on the part of each House, on the subject of Banking.

On motion of Mr. Wilder, the Senate adjourned untit to-morrow morning, 10 o'clock.

WEDNESDAY, November 29, 1854.

Received a message from the House of Commons, stating that they concur in the proposition of the Senate to raise a joint select committee of two on the part of each House, to make proper arrangements to compare the votes polled for Governor at the election in August last, and that Messrs. Williams of New Hanover and Gorrell form the House branch of said committee.

Whereupon, a message was sent to the House of Commons, stating that the Senate's branch of the committee consists of Messrs. Bower and McClees.

Mr. Christian introduced the following resolution, viz:

Resolved, That the Secretary of State be instructed and required to issue a grant to John Green, upon the production of his receipt from the public Treasurer, for the payment of the purchase money, No. 493, dated the 14th December, 1827, for one hundred acres of land, situated in Montgomery County, and entered by said John Green, as appears by the certificate of the entry taker, No. 9107.

The resolution was read the first time and passed, and the rules being suspended, said resolution was read the second and third times, passed, and ordered to be engrossed.

Mr. Boyd introduced a bill to incorporate the Danville and

Greensborough Railroad Company; which was read the first time and passed, and, on motion, referred to the committee on internal improvement.

Mr. Hoke introduced a resolution in favor of David A. Ray & Co.; which was read the first time and passed, and, on motion, referred to the committee on claims.

Received a message from the House of Commons, transmitting a message from his Excellency, the Governor, and accompanying document, proposing to print the message and the report of the Cape Fear and Deep River Navigation Company. Concurred in; and the House of Commons informed thereof.

Received a message from the House of Commons, concurring in the proposition of the Senate to refer the report of Messrs. Moore and Biggs, with accompanying documents, &c, to the joint committee on the Revised Statutes, &c., to place under the direction of the said committee the distribution of the printed copies.

Also a message stating that the House of Commons concur in the proposition of the Senate to raise a joint select committee on the subject of Banking, and that the committee on the part of the House consists of Messrs. Cansler, Steele, Myers, Green of Craven, and Caldwell of Guilford. Whereupon the House of Commons were informed that Messrs. Wilder, Fisher, Cherry, Gilmer, and McDowell constitute the committee on the part of the Senate.

The message also announced that the committee on the part of the House on Cherokee lands and Western Turnpike Road consists of Messrs. Roland, Patton, Love, Patterson, and Yancey.

A message was received from the House of Commons stating that the hour of 11 o'clock having arrived they would proceed, on the return of the messenger, to vote for a Solicitor of the fourth judicial circuit, according to the joint order of the two Houses; that Messrs. James W. Lancaster, Thomas Ruffin, and A. J. Stedman are in nomination for the appointment, and that Messrs. Norment and Holland form their branch of the committee to superintend said election.

The Senate, under the superintendence of Messrs. Wilder and Freeman, then voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower,

Boyd, Coleman, Cunningham, Davis, Eborn, Fennell, Fisher, Fonville, Gilmer, Graves, Herring, Hoke, Jones, McClees, McDowell, Mills, Morisey, Oldfield, Sanders, Speight, Tayloe, Thomas of Jackson, Walker, and Wilder.—28.

For Mr. Stedman:—Messrs. Cherry, Christian, Freeman, Haughton, Lane, Martin, Thomas of Davidson, and Willey.—8.

For Mr. Lancaster: — Messrs. Brogden, Clark, Collins, Drake, Faison, Wiggins, and Wood.—7.

On motion of Mr. McDowell,

Ordered, That a message be sent to the House of Commons proposing that the two Houses go into the election of a Judge for the fifth judicial circuit this day at 12 o'clock.

Received a message from the House of Commons concurring in the proposition of the Senate to go into an election of Judge of the fifth judicial circuit at 12 o'clock, M., and informing that Messrs. Leach of Davidson, and Dunn will superintend the election on the part of the House.

Mr. Wilder, from the committee appointed to superintend the election for Solicitor of the fourth judicial circuit, reported that Mr. Ruffin received 66 votes, Mr. Stedman 51 votes, and Mr. Lancaster 38 votes; that no person in nomination having received a majority of the whole number of votes given, there is no election. Concurred in.

On motion of Mr. Wilder,

Ordered, That a message be sent to the House of Commons proposing to vote again forthwith for Solicitor of the fourth judicial circuit. The proposition was concurred in, and the Senate informed that Messrs. March and Simmons will superintend the election on the part of the House.

The Senate, under the superintendence of Messrs. Wilder and Freeman, then voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Clark, Coleman, Cunningham, Davis, Faison, Fennell, Fisher, Fonville, Gilmer, Graves, Herring, Hoke, McDowell, Mills, Mitchell, Morisey, Oldfield, Sanders, Speight, Thomas of Jackson, and Wilder.—26.

For Mr. Stedman:—Messrs. Cherry, Christian, Eborn, Freeman, Haughton, Jones, Lane, McClees, Martin, Thomas of Davidson, Walker, Wiggins, and Wood.—14.

For Mr. LANCASTER:—Messrs. Brogden, Collins, and Drake.

—3.

The hour of 12 o'clock having arrived, a message was sent to the House of Commons stating that the Senate would, according to the joint agreement of the two Houses, now go into the election of Judge of the fifth judicial circuit, and informing that Messrs. McDowell and Thomas of Davidson, constitute the committee to superintend the election on the part of the Senate, and that the Hon. Samuel J. Person is in nomination for the appointment.

The Senate then voted as follows:

For Mr. Person:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eborn, Faison, Fennell, Fisher, Fonville, Gilmer, Graves, Haughton, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Morisey, Oldfield, Sanders, Speight, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wiggins, Wilder, Willey, and Wood.—42.

Mr. Graham voted for Wm. A. WRIGHT.

Mr. Wilder, from the committee appointed to superintend the election for Solicitor of the fourth judicial circuit, reported that Mr. Ruffin received 70 votes, Mr. Stedman 55 votes, and Mr. Lancaster 33 votes; that no one in nomination having received a majority of the whole number of votes given, there is no election. Concurred in.

Mr. Wilder introduced the following resolution, viz:

Resolved, That the Clerk of the Senate procure forthwith, for the use of his office adjoining the Senate Chamber, such furniture as may be required for the convenience of the same, and the preservation of the papers belonging thereto.

The resolution was read the first time and passed. On motion the rules were suspended, and said resolution read the second and third times, passed, and ordered to be engrossed.

Mr. Gilmer introduced the following preamble and resolution; which was read and adopted, viz:

WHEREAS, to-morrow has been recommended by his Excellency, the Governor, as a day of thanksgiving for the many blessings which God has bestowed upon us as a people and a State: and whereas, it is highly becoming in the representatives

of enlightened constituencies to set an example in all christian

Therefore resolved, That when the Senate adjourn to-day, it adjourn to 10 o'clock A. M. on Friday next.

Mr. McDowell, from the committee appointed to superintend the election of Judge for the fifth judicial circuit, reported that Saml. J. Person having received a majority of the whole number of votes given, is duly elected. Report concurred in.

On motion of Mr. Graham,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of providing by law for compensation to sheriffs, in cases where they shall be under the necessity of arresting witnesses or parties, and conveying them to the places where their testimony may be required.

On motion of Mr. Biggs, the Senate adjourned.

FRIDAY, DECEMBER 1, 1854.

Thomas J Person, the Senator elect from the county of Northampton, (being the 5th Senatorial District,) and Charles H. K. Taylor, the Senator elect from the county of Granville, (being the 28th Senatorial District,) appeared, produced their credentials, were qualified, and took their seats.

Mr. Bower, from the committee appointed to make arrangements for counting and comparing the votes for Governor at the last August election, submitted the following report, viz:

That the two Houses of the General Assembly shall convene in the hall of the House of Commons on Saturday next, the 2d December instant, at 12 o'clock; that one member shall be appointed Teller on the part of the Senate, and two on the part of the House of Commons, to make a list of the votes given for the Governor of the State of North Carolina as they shall be declared by the Speaker of the Senate, who shall aumounce to the two Houses assembled as aforesaid the state of the vote and the person elected; if it appears that a choice has been made agreeably to the Constitution of the State, which annunciation shall be deemed a sufficient declaration of the person elected, and, together with the list of votes, shall be entered on the Journals of the two Houses; which was read and adopted, and ordered to be sent to the House of Commons for their concurrence.

Received a message from the House of Commons, proposing to go forthwith into an election for Solicitor of the fourth judicial circuit, which was concurred in; and the House of Commons informed, that the Senate's branch of the committee to superintend said election, consists of Messrs. Wilder and Freeman.

The Speaker laid before the Senate a statement of the President of the Bank of Fayetteville.

Mr. Haughton presented a memorial from the Stockholders of the Cape Fear Navigation Company, which on motion, was ordered to be printed.

On motion of Mr. Mitchell,

Resolved, That it be referred to the committee on the judiciary, to inquire into the expediency of requiring the executors named in last wills and testaments, to give bonds and security for the faithful discharge of the duties of said office.

Mr. Bower presented a petition from sundry citizens, in relation to the boundary line between North Carolina and the State of Virginia; which on motion, was referred to the committee on the judiciary.

Mr. Mitchell introduced a bill to expedite the trial of certain suits in Courts of law; which was read the first time and passed, and on motion, referred to the committee on the judiciary.

Also, a bill to amend and continue in force, the act to incorporate the Yadkin Navigation Company, and to authorize a subscription of stock on the part of the State, which was read the first time and passed; and on motion, referred to the committee on internal improvement

Received a message from the House of Commons, stating that according to the joint order, they would on the return of the messenger, proceed to vote for Solicitor of the fourth judicial circuit; and that the committee on their part, to superintend said election, consists of Messrs. J. W. Neal and Eure.

Whereupon, under the superintendence of Messrs. Wilder and Freeman, the Senate voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Clark, Coleman, Cunningham, Davis, Eaton, Faison, Gilmer, Graham, Graves, Herring, Hoke, McDowell, Mills, Morisey, Sanders, Speight, Tayloe, Taylor, Thomas of Jackson, and Wilder—25.

For Mr. STEDMAN:—Messrs. Cherry, Christian, Eborn, Fennell, Fonville, Freeman, Haughton, Jones, McClees, Martin, Mitchell, Oldfield, Person, Thomas of Davidson, Walker, Wiggins and Willey—17.

For Mr. LANCASTER:—Messrs. Brogden, Collins, Drake and Wood—4.

Received a message from the House of Commons, concurring in the report of the committee on counting and comparing the vote cast for Governor in August last; and informing that Messrs. Williams of New Hanover, and Steele, are the Tellers on the part of the House.

Whereupon, the House of Commons were informed by Message, that Mr. Cunningham was appointed Teller on the part of the Senate.

Mr. Gilmer introduced a bill to incorporate the McCulloch Copper and Gold Mining Company, which was read the first time, and passed; and on motion, referred to the committee on corporations.

Mr. Graham introduced a bill concerning a Convention, and to amend the Constitution of the State, which was read the first time, and passed; and on motion, orderded to be printed, and made the special order of the day for Thursday next, at the hour of 12 o'clock.

Mr. Wilder, from the committee appointed to superimend the election for Solicitor of the fourth judicial circuit, reported, that Mr. Ruffin received 63 votes, Mr. Stedman 54 votes, and Mr. Lancaster 41 votes; that no person in nomination having received a majority of the whole number of votes given, there is no election. Report concurred in.

Mr. Mills introduced a bill to lay off and establish a county by the name of Polk, which was read the first time, and passed; and on motion, referred to the committee on propositions and grievances.

Mr. Fennell introduced a bill to incorporate Union Academy, in the county of New Hanover, and for other purposes, which was read the first time, and passed; and on motion, referred to the committee on education and the literary fund.

On motion of Mr. Bower,

Ordered, That a message be sent to the House of Commons

proposing to vote again forthwith for Solicitor of the fourth judicial circuit.

On motion of Mr. Biggs,

Resolved, That the committee on the subject of Banking be instructed to inquire into the expediency of providing, in all bank charters that may be hereafter granted, a clause requiring banks to make monthly settlements of their affairs to the Governor, to be by him published, so that the public may be freequently advised of the operation and condition of such institutions.

Mr. Biggs introduced a bill regulating the conduct of banks upon their dissolution, which was read the first time and passed, and on motion referred to the committee on Banking.

Received a message from the House of Commons concurring in the proposition of the Senate to vote again forthwith for Solicitor of the fourth judicial circuit, and informing that the House branch of the committee to superintend the election consists of Messrs. Meares and Waugh.

Whereupon the House of Commons were informed that the Senate's branch of the committee to superintend said election consists of Messrs. Davis and Person, and the Senate voted as follows:

For Mr. Ruffin:—Messis. Speaker, Ashe, Biggs, Bower, Boyd, Coleman, Cunningham, Davis, Eaton, Faison, Fonville, Gilmer, Graham, Graves, Herring, Hoke, Jones, McDowell, Mills, Morisey, Sanders, Speight, Taylor, Tayloe, Thomas of Jackson, Wilder, and Wiggins:—27.

For Mr. Stedman:—Messis. Cherry, Christian, Eborn, Fennell, Freeman, Haughton, Martin, McClees, Oldfield, Person, Thomas of Davidson, Walker, and Willey.—13.

For Mr. Lancaster:—Messrs. Brogden, Clark, Collins, Drake, and Wood.—5.

Mr. Thomas of Jackson introduced a bill to authorize the Nantahala and Tuckasege Turnpike Company to establish a toll bridge over the Tennessee river, in Macon county, which was read the first time and passed.

The bill to make compensation to the justices of the peace for taking lists of taxable property was now taken up, read the second time, and on motion of Mr. Graham, referred to the committee on propositions and grievances.

The bill to incorporate the Yadkin Plank Road Company was read the second time, and on motion of Mr. Eaton referred to the committee on internal improvements.

Mr. Person, from the committee appointed to superintend the election of Solicitor of the fourth judicial circuit, reported that Mr. Ruffin received 63 votes, Mr. Stedman 54 votes, and Mr. Lancaster 39 votes; that no person in nomination having received a majority of the whole number of votes given there is no election. Concurred in.

On motion of Mr. Martin,

Ordered, That a message be sent to the House of Commons proposing to vote again forthwith for Solicitor of the fourth judicial circuit.

Received a message from the House of Commons concurring in the proposition of the Senate to vote again forthwith for Solicitor of the fourth judicial circuit, and informing that Messrs. Whitaker and Perkins form their branch of the committee to superintend said election.

Whereupon the House of Commons were informed that Messrs. Person and Davis would superintend the election on the part of the Senate.

The Senate now voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Coleman, Cunningham, Davis, Eaton, Faison, Fonville, Gilmer, Graham, Graves, Herring, Hoke, McDowell, Mills, Morisey, Sanders, Speight, Tayloe, Taylor, Thomas of Jackson, Wilder, and Wiggins.—26.

For Mr. Stedman:—Messrs. Cherry, Christian, Eborn, Fennell, Freeman, Haughton, McClees, Martin, Oldfield, Person, Thomas of Davidson, Walker, and Willey.—13.

For Mr. Lancaster:—Messrs. Brogden, Clark, Collins, Drake, Jones, and Wood.—6.

On motion of Mr. McDowell the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, DECEMBER 2, 1854.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed resolutions, in which they ask the concurrence of the House, viz: A resolution in favor of John Green, and a resolution to furnish the Clerk's office of the Senate.

On motion of Mr. McDowell, leave of absence was granted to the Senator from New Hanover, from and after to-day until Tuesday next.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to make compensation to the justices of the peace for taking the lists of taxable property, reported the same back to the Senate with an amendment, and recommended its passage.

The bill was read the second time, and the amendment reported by the committee agreed to.

Mr. McClees moved further to amend the bill, by striking out so much of the same as requires the presence of a majority, and inserting "seven or the special court;" which amendment was agreed to.

On motion of Mr. Cherry, the vote by which the amendment of Mr. McClees was adopted was reconsidered, and the amendment amended by striking out the words "or special court." The bill then passed its second reading as amended.

Mr. Biggs, from the committee on the Revised Statues, reported the following bill, and recommended its passage, viz:

A bill concerning the abatement of suits; which was read the first time and passed.

Mr. Biggs moved a suspension of the rules, that the bill might be put on its passage the second and third times.

The Speaker announced that the motion was lost, according to the 27th rule of order—two thirds of the Senate not voting in its favor.

Mr. Person, from the committee appointed to superintend the election of Solicitor of the fourth judicial circuit, reported that Mr. Ruffin had received 61 votes, Mr. Stedman 56 votes, and Mr. Lancaster 29 votes, Mr. Gorrell 4 votes, Mr. J. Turner 2 votes, and Mr. J. G. Bynum one vote; that no person in nomination having received a majority of the whole number of votes given, there is no election. Concurred in.

Received a message from the House of Commons, stating that Mr. Singeltary is substituted for Mr. Cansler on the joint select committee on banking.

The same message also proposed that the two Houses go forthwith into the election of Solicitor of the fourth judicial circuit; which proposition was agreed to, and the Senate informed that Messrs. Speight and Mitchell form the Senate's branch of the committee to superintend the election.

Received a message from the House of Commons, stating that Messrs. Sherrell and Thornburg form the House branch of the committee to superintend the election for Solicitor of the fourth judicial circuit, and that the House would proceed to vote on the return of the messenger. The Senate then voted as follows:

For Mr. Ruffin:—Messis. Speaker, Ashe, Biggs, Bower, Boyd, Clark, Coleman, Cunningham, Davis, Eaton, Faison, Gilmer, Graham, Graves, Hoke, Jones, McDowell, Mills, Mitchell, Morisey, Person, Sanders, Speight, Tayloe, Taylor, Thomas of Jackson, Walker and Wilder.—28.

For Mr. Stedman:—Messrs. Cherry, Christian, Eborn, Fonville, Freeman, Haughton, Herring, McClees, Martin, Oldfleld, Thomas of Davidson, Wiggins, Willey and Wood.—14.

For Mr. Lancaster:—Messrs. Brogden, Collins and Drake.

—3.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning agriculture and geology.

A bill concerning the amendment of process, and

A bill concerning appeals and proceedings in the nature of appeals; which bills were severally read the first time and passed.

Received a message from the House of Commons, stating that Mr. Williams of New Hanover is excused from acting as Teller to count the votes for Governor, and that Mr. Martin is appointed in his place.

Mr. Speight, from the committee appointed to superintend the election of Solicitor of the fourth judicial circuit, reported that Mr. Ruffin received 62 votes, Mr. Stedman 62 votes, Mr. Lancaster 28 votes, and Mr. Gorrell 2 votes; that no person in nomination having received a majority of the votes given, there is no election. Concurred in.

A message was received from the House of Commons, stating that the hour agreed upon for counting and comparing the votes cast for Governor in August last had now arrived, and that the House of Commons were ready to receive the Senate for that purpose.

The Senate repaired to the Commons Hall, and Mr. Speaker Winslow, made the following announcement to the Convention of the two Houses:

Gentlemen of the Senate and of the House of Commons:

The two Houses of the General Assembly being here assembled, I will proceed according to the requirements of the Constitution, to open and publish in their presence, the returns of the election for Governor, held on the first Thursday of August. I will commence with the counties in alphabetical order.

WARREN WINSLOW,

Speaker of the Senate.

The returns were then opened, and the vote compared in the presence of the convention of the two Houses, under the inspection of Mr. Cunningham, as Teller on the part of the Senate, and Messrs Steele and Martin, as Tellers on the part of the House of Commons.

Mr. Cunningham, in behalf of the Tellers, reported the result of the convention as follows, viz:—

Counties.	FOR THOMAS BRAGG.	FOR ALFRED DOCKERY.
	696	597
Alamance,		
Alexander,	235	441
Anson,	255	902
Ashe,	550	671
Burke,	333	751
Buncombe,	562	775
Bladen,	620	426
Bertie,	410	490
Beaufort,	572	901
Brunswick,	435	416
Cabarrus,	425	642
Catawba,	739	310
Craven,	638	599
Cumberland,	1,473	904
Chowan,	283	245

Counties.	FOR THOMAS BRAGG.	For Alfred Dockery
Columbus,	512	304
Camden,	125	461
Carteret,	399	403
Cherokee,	427	684
Caswell,	1,007	220
Chatham,	1,017	1,137
Caldwell,	219	620
Currituck,	544	158
Cleaveland,	978	336
Davidson,	679	1,292
Davie,	364	610
Duplin,	1,061	225
Edgecombe,	1,404	155
Forsythe,	897	802
Franklin,	713	339
Gaston,	808	133
Granville,	1,078	995
Guilford,	528	1,615
Greene,	358	351
Gates,	422	351
Haywood,	345	350
Halifax,	584	551
Hertford,	237	306
Hyde,	303	397
Henderson,	243	687
Iredell,	392	1,256
Jackson,	366	255
Jones,	230	229
Johnston,	936	744
Lenoir,	394	274
Lincoln,	573	296
Madison,	428	311
Martin,	696	299
McDowell,	217	674
Moore,	605	752
Montgomery	145	741
Macon,	229	390
Mecklenburg	, 1,023	652

Counties.	FOR THOMAS BRAGG.	FOR ALFRED DOCKERY.
Nash,	1,115	95
New Hanover	, 1,109	424
Northampton,	641	490
Onslow,	596	238
Orange,	963	1,080
Pasquotank,	331	496
Perquimons,	343	334
Pitt,	725	708
Person,	601	331
Robeson,	782	679
Rockingham,	1,036	317
Rowan,	932	976
Rutherford,	621	1,019
Randolph,	403	1,378
Richmond,	113	708
Sampson,	860	599
Surry,	797	464
Stokes,	636	437
Stanly,	95	874
Tyrrell,	109	275
Union,	729	472
Wake,	1,541	1,167
Warren,	754	163
Washington,	245	388
Watauga,	157	428
Wayne,	1,145	304
Wilkes,	325	1,261
Yadkin,	650	758
Yancey,	639	349
	48,705	46,644

The following announcement was made by the Speaker of the Senate to the convention of the two Houses, viz:

Gentlemen of the Senate and of the House of Commons:

The tellers appointed by the two Houses of the General Assembly to compare the returns and make a list of the votes given

at the late election for Governor in this State, report that Thomas Bragg received 48,705 votes, being the highest number of votes given, and that Alfred Dockery received 46,644 votes. No objection being made to this report I declare Thomas Bragg duly elected Governor of the State of North Carolina for two years from and after the first day of January, which shall be in the year of our Lord one thousand eight hundred and fifty-five.

WARREN WINSLOW,

Speaker of the Senate.

The members of the Senate then returned to the Senate chamber.

A message was received from the House of Commons transmitting the report of the Public Treasurer, with a proposition to print one copy of the same for each member of the General Assembly, and that it be referred to the joint committee on Finance. The proposition was concurred in, and the House of Commons informed thereof by message.

On motion of Mr Gilmer the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 4, 1854.

Received a message from the House of Commons, proposing to print a list of the standing and joint committees of the two Honses. The proposition was concurred in, and the House of Commons informed thereof.

Received a message from the House of Commons, stating that they have passed the following engrossed resolution and bill, in which they ask the concurrence of the Senate, viz:

A resolution in favor of Jeptha Woodard, and

A bill to protect wild fowl in the waters of the county of Currituck.

The resolution was read the first time, adopted, and ordered to be enrolled.

The bill was read the first time and passed.

On motion of Mr. Jones, the rules were suspended, and said bill read the second time and passed.

The bill was then read a third time.

Mr. Hoke moved to amend the same, by striking out the word

"ratification" in the fifth line of the first section, and inserting in lieu thereof "ten days after the passage of this bill."

The amendment was agreed to, and the bill passed its third reading, as amended. Whereupon, a message was sent to the House of Commons, asking their concurrence in the Senate's amendment.

Mr. Biggs presented the following resolution, viz:

• Resolved, That the Treasurer pay to William W. Holden six hundred and one 25 dollars for printing the Revised Statutes; and to John H. Decarteret sixty-six dollars for binding and stitching the said Statutes, under contracts made with the commissioners of revisals.

The resolution was read the first time and passed, and the rules being suspended, the said resolution was read the second and third times, passed, and ordered to be engrossed.

On motion of Mr. Faison,

Resolved, That the engrossing clerks be allowed the use of the room formerly occupied by the supreme court, during the present session of the General Assembly.

On motion of Mr. Wood,

Resolved, That the committee on Revised Statutes inquire into the expediency of providing by law that it shall be indictable for any person to be guilty of any disorderly behaviour, by which the people are disturbed at a place appointed for divine worship during the time they are assembled for such purpose, although at the time of such disturbance not engaged in worship.

Mr. Mitchell introduced a bill to incorporate a plankroad from Mocksville to Wilkesborough, and to provide for a subscription of stock on the part of the State, which was read the first time and passed, and on motion referred to the committee on internal improvements.

Mr. Bower, a bill to increase the capital stock of the Fayetteville and Western Plankroad Company, which was read the first time, passed, and on motion referred to the committee on internal improvements.

Mr. Coleman, a bill, accompanied by a memorial, to lay off and establish a new county by the name of Vernon, which was read the first time and passed, and on motion referred, with the memorial, to the committee on propositions and grievances.

Received a message from the House of Commons proposing to go forthwith into the election of Solicitor of the fourth judicial circuit, which, on motion of Mr. Mills, was ordered to be laid on the table.

On motion of Mr. Bower,

Resolved, That the committee on the Revised Statutes be instructed to inquire into the expediency of amending the statutes concerning entries and grants, so as to restrict the quantity in any one entry or grant to six hundred and forty acres of land, and to prohibit the issue of grants, heretofore made for a larger quantity.

Mr. Biggs introduced a bill to cede to the United States of America certain sites for light-house purposes, which was read the first time and passed, and on motion referred to the committee on

the judiciary.

The bill to authorize the Nantahala and Tuckasege Turnpike Company to establish a toll bridge over the Tennessee river, in Macon county, was read the second time, and on motion of Mr. Eaton, referred to the committee on corporations.

The bill concerning the abatement of snits, and

The bill concerning agriculture and geology, were severally read the second time and passed.

Received a message from the House of Commons, stating that they agree to the amendment proposed by the Senate, to the engrossed bill to protect wild fowl in the waters of the county of Currituck.

Whereupon, ordered that the bill be enrolled.

The bill concerning amendment of process, and the bill concerning appeals and proceedings in the nature of appeals, were severally read the second time, and passed.

The bill to make compensation to the justices of the peace for taking the lists of taxable property, was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Boyd, the bill to amend the Constitution of North Carolina, was now taken up, and made the special order of the day for Wednesday next, at the hour of 11 o'clock.

Mr. Thomas of Davidson, introduced a bill to make indictable certain trespasses, which was read the first time, and passed; and on motion, referred to the committee on the judiciary.

On motion of Mr. Gilmer, the Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, DECEMBER 5, 1854.

The Speaker announced that Messrs. Mitchell, Person and Wiggins, constitute the committee on enrolled bills for the present week.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning apprentices, and a bill concerning Asylums, which said bills were severally read the first time, and passed.

Mr. Drake, from the committee on claims, to whom was referred a resolution in favor of David A. Ray & Co., reported the same back to the Senate, and recommended its passage. The resolution was read the second time, and passed.

Mr. Hoke, from the committee on the judiciary, to whom was referred so much of the message of his Excellency, the Governor, as relates to the Attorney General residing in Raleigh, and his being relieved from the duties of Solicitor for the third circuit; made an adverse report on the subject; which was concurred in.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to establish a new county by the name of Polk, reported the same back to the Senate, and recommended its passage. The bill was read the second time and passed.

On motion of Mr. Martin,

Ordered That a message be sent to the House of Commons, proposing to go forthwith into the election for Solicitor of the fourth judicial circuit.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to authorise the Nantahala and Tuckasege Turnpike Company, to establish a toll bridge over the Tennessee river in Macon county, reported the same back to the Senate without amendment, and recommended its passage. The bill was read the second time, and on motion of Mr. Eaton, amended by striking out the words "from and after its ratification." The bill then passed its second reading, as amended.

Mr. McDowell, from the same committee to whom was referred the bill to incorporate the McIver Coal Mining Company, and for other purposes, reported the same back to the Senate, with the following amendments, viz:

1st. Add to the first section of the bill the words Provided

however, that at all times, at least one of the Directors in said company shall be a citizen of this State; which amendment was agreed to.

2d. Strike out 90 years in the first section, and insert "30 years" in lieu thereof.

Mr. Thomas, of Davidson, moved to insert 50 years; upon which Mr. Clark called for a division; and the question being first taken on striking out, was determined in the affirmative. The motion of Mr. Thomas was determined in the negative. The amendment was then agreed to. Whereupon, on motion of Mr. Eaton, the bill was laid upon the table.

Mr. Coleman, from the committee on the judiciary, to whom was referred so much of the message of his Excellency, the Governor, as relates to the creation of an additional Judge of the supreme court, reported adversely on the same. Report concurred in.

Mr. Hoke presented a memorial, praying that Ephraim M. Lutz be restored to his marital rights; which, on motion, was referred to the committee on the judiciary.

Received a message from the House of Commons concurring in the proposition of the Senate to go forthwith into the election of Solicitor of the fourth judicial circuit, and stating that Messrs. Bryant and Shipp form the House branch of the committee to superintend said election.

Whereupon Messrs. Morisey and Fennell were appointed the committee on the part of the Senate, and the House informed thereof. The Senate then voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Clark, Coleman, Collins, Cunningham, Davis, Eaton, Faison, Fennell, Fisher, Fonville, Gilmer, Graham, Graves, Herring, Hoke, Jones, McDowell, Mills, Mitchell, Morisey, Person, Sanders, Speight, Tayloe, Taylor, Thomas of Jackson, Walker, Wilder, and Wiggins.—34.

For Mr. Stedman:—Messrs. Brogden, Cherry, Christian, Drake, Eborn, Freeman, Haughton, McClees, Martin, Oldfield, Thomas of Davidson, Willey, and Wood.—13.

The Speaker laid before the Senate the following communication from his Excellency, the Governor, David S. Reid. EXECUTIVE OFFICE, Raleigh, December 5, 1854.

Gentlemen: Your communication of the 25th ultimo, informing me of my election by the General Assembly to the Senate of the United States, to fill the unexpired term commencing on the 4th March, 1853, was duly received. My own sense of duty prompted me to desire to serve out the term of the office previously conferred on me by the people of the State.

Their representatives, however, have assigned me another important position, which relieves me from the obligation of longer continuing in the place I now hold. On to morrow I shall accept the appointment of Senator. This, under the Constitution of the State, will operate as a disability to the further exercise, on my part, of the duties of the Executive office. Therefore the great seal of the State, together with the records and papers belonging to the office, will then be delivered to the Speaker of the Senate. The voluntary bestowal by the General Assembly of this additional evidence of the kind partiality of the people of the State towards me, does not fail to excite a deep sense of gratitude.

I am, very respectfully, your obedient servant,

DAVID S. REID.

Hon. Warren Winslow,
Speaker of the Senate.

Hon. SAM'L P. HILL,

Speaker of the House of Commons.

Whereupon Mr. Graham submitted the following resolutions, viz:

Resolved, That by reason of the acceptance of the office of Senator of the United States, by his Excellency, David S. Reid, the Governor for the time being of this State, the office of Governor of North Carolina hath been vacated by the said David S. Reid.

Resolved, further, That the powers of the said office of Governor having, according to the Constitutional provision in such case, devolved on the Hon. Warren Winslow, the Speaker of the Senate for the time being, to be exercised by him, the said Warren Winslow is, to all intents and purposes, Governor of the State, and will so continue until the qualification of the Governor cho-

sen by the people for the constitutional term commencing on the first day of January next.

Resolved, further, That the office of Speaker of the Senate is thereby vacated, and the Senate do now proceed to the election of Speaker.

On motion of Mr. Hoke the consideration of the resolutions was postponed until to-morrow morning, 10 o'clock.

On motion of Mr. Cherry leave of absence was granted to the Senator from Chatham from the services of this House on and after to-day, until Saturday next.

Mr. Morisey, from the committee appointed to superintend the election for Solicitor of the fourth judicial circuit reported that Thomas Ruffin received 87 votes, and A. J. Stedman 64 votes; that Mr. Ruffin having received a majority of the whole number of votes given is duly elected. Report concurred in.

On motion of Mr. Mills the Senate adjourned until to-morrow, 10 o'clock.

WEDNESDAY, DECEMBER 6, 1854.

Received a message from the House of Commons, transmitting a communication from the president of the North Carolina Railroad Company, with accompanying documents, with a proposition to print the same; one copy for each member of the General Assembly.

Concurred in; and on motion of Mr. Graham, referred to the committee on Internal Improvements.

Also, a message transmitting a communication from the charman of the board of commissioners, for building the Lunatic Asylum, and accompanying documents, with a proposition to print one copy of the same for each member of the General Assembly. Concurred in.

The Speaker now announced the special order, viz: The resolutions of Mr. Graham, declaring the Hon. Warren Winslow, of the Senate, Governor of the State for the time being, and that the office of Speaker of the Senate, is thereby vacated, &c.

The Speaker left the Chair, and appointed Mr. Boyd Speaker, pro tempore.

The resolutions being read after some time spent in debate, Mr. Clark moved an adjournment, which was not carried.

The question now recurring on the adoption of the resolutions, Mr. Ashe called for a division of the question, and moved that the question be taken on each resolution separately, which being ordered, the question was then put on the adoption of the first resolution, which was determined in the affirmative, ayes 45, noes, none.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Brogden, Cherry, Christian, Clark, Coleman, Collins Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Fisher Fonville, Freeman, Gilmer, Graham, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Mitchell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Tayloe, J. W. Thomas, W. H. Thomas, Walker, Wilder, Wiggins, Willey, and Wood—45.

Those who voted in the negative-none.

The question on the adoption of the second resolution, was determined in the negative: ayes 22, noes 23.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Cherry, Christian, Cunningham, Davis, Eaton, Eborn, Freeman, Gilmer, Graham, Graves, Hoke, McClees, Martin, Morisey, Person, Rayner, Taylor, Tayloe, J. W. Thomas, Wiggins, and Willey—22.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Clark, Coleman, Collins, Drake, Faison, Fennell, Fisher, Fonville, Herring, Jones, McDowell, Mills, Mitchell, Oldfield, Sanders, Speight, W. H. Thomas, Walker, Wilder, and Wood—23.

The question on the adoption of the third resolution, was also determined in the negative, yeas 22, noes 23.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Cherry, Christian, Cunningham, Davis, Eatton, Eborn, Freeman, Gilmer, Graham, Graves, Hoke, McClees, Martin, Morisey, Person, Rayner, Taylor, Tayloe, J. W. Thomas, Wig-gins, and Willey—22.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Clark, Coleman, Collins, Drake,

Faison, Fennell, Fisher, Fonville, Herring, Jones, McDowell, Mills, Mitchell, Oldfield, Sanders, Speight, W. H. Thomas, Walker, Wilder, and Wood—23.

Received a message from the House of Commons, stating that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to protect live stock from malicious destruction;

A bill to regulate the floating of timber on the Roanoke river; and

A bill to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plankroad Company.

The Speaker laid before the Senate the following communication, viz:

To the Honorable the General Assembly

of the State of North Carolina:

I hereby accept the appointment of Senator in the Congress of the United States, and in pursuance of notice given on yesterday, I shall now cease to exercise the duties of Executive, and will deliver over the records and papers of the office to the Speaker of the Senate.

D. S. REID.

EXECUTIVE DEPARTMENT, Raleigh, Dec. 6, 1854.

Mr. Thomas of Jackson, offered the following resolution, viz: Resolved, That the Senate will proceed to elect a Speaker protempore, to preside during the period the Speaker elect shall be absent in the discharge of the duties and powers of Governor.

Before any question was taken on said resolution, on motion of Mr. Walker, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, DECEMBER 7, 1854.

On motion, leave was granted to Mr. Thomas of Jackson, to withdraw the resolution presented by him on yesterday.

Mr. Rayner introduced a bill to provide for the issue of additional stock for the Seaboard and Roanoke Railroad Company; which was read the first time and passed, and, on motion, referred to the committee on internal improvements.

Received a message from the House of Commons, transmitting a message from the Governor, with a report from the literary board and accompanying documents, with a proposition to print one copy for each member of the General Assembly. Concurred in.

Also a message, transmitting the report of the chief engineer of the North Carolina and Western Railroad route and accompanying documents, &c., with a proposition to print one copy of the same for each member of the Legislature. Concurred in.

Mr. Fisher from the committee on internal improvements, to whom was referred the report of the president of the North Carolina Railroad Company, reported the following resolution, and recommended its passage, viz:

Resolved, That the treasurer of the State be hereby authorized and directed forthwith, or as early as practicable, to pay over to the treasurer of the North Carolina Railroad Company, the balance of the last half million yet due, on the State subscription to the capital stock of said company.

The resolution was read the first time and passed; on motion, the rules were suspended, and said resolution was read the second and third times, passed, and ordered to be engrossed.

Mr. Fennell introduced a bill to re-charter the Bank of Cape Fear, which was read the first time and passed; and, on motion, referred to the committee on banks, and ordered to be printed.

Mr. Jones introduced a bill to incorporate a company to construct a ship canal, to unite the waters of Albemarle, Currituck and Pamlico sounds with the Chesapeake bay, and for other purposes, which was read the first time and passed; and, on motion, referred to the committee on internal improvements, and ordered to be printed.

On motion of Mr. Bower,

Ordered, That a message be sent to the House of Commons, proposing to go forthwith into the election for two trustees of the University.

Mr. Fonville introduced a bill for the improvement of the ship navigation in New river, in the county of Onslow, which was read the first time and passed; on motion, referred to the committee on internal improvements, and ordered to be printed.

Mr. Collins introduced a bill to authorise the trustees of Louisburg female academy, to convey to the Louisburg female college

company, certain interests in the female academy ground, which was read the first time and passed; the rules being suspended, the said bill was read the second and third times, passed, and ordered to be engrossed.

Mr. Tayloe introduced a bill to incorporate the Washington savings institution in Beaufort county, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Biggs, from the committee on the Revised Statutes, reported a bill concerning attachments, and recommended its passage, which was read the first time and passed.

Received a message from the House of Commons, concurring in the proposition of the Senate to go, forthwith, into the election of two trustees of the university, and informing that Messrs. Leach of Moore, and Black, form the House branch of the committee to superintend the election, and that Nathaniel Roan, John W. Cunningham, David T. Tayloe, Samuel F. Phillips, John G. Bynum, Wm. T. Dortch and Henry B. Elliott, are in nomination.

Whereupon, the House of Commons were informed by message, that Messrs. Tayloe and Bower constitute the committee to superintend said election, on the part of the Senate, and that the names of Thos. J. Morisey and Jos. B. Cherry, are added to the nomination, and that the Senate would proceed to vote on the return of the messenger.

The Senate then voted by ballot.

Mr. Biggs, from the committee on the revised statutes, reported the following bills, and recommended their passage, viz:

A bill concerning Attorney General and Solicitors;

A bill concerning Attorneys at law;

A bill concerning auctions and auctioneers.

A bill concerning bail; and

A bill concerning bastard children; which said bills were severally read the first time, and passed.

The bill concerning the abatement of suits, was read the third time, and passed, and ordered to be engrossed.

The Speaker announced the special order, viz:

The bill to amend the Constitution of North Carolina.

On motion of Mr. Graham, the consideration of the bill was

postponed until Monday next, and made the special order for that day, at the hour of 11 o'clock.

On motion of Mr. Graham, the bill concerning a convention, and to amend the Constitution of the State, was taken up, and made the special order of the day for Monday next, at the hour of 11 o'clock.

Mr. Hoke offered the following preamble and resolutions, viz:

WHEREAS, A vacancy has occurred in the office of Governor of the State, and whereas, great doubts have arisen in the constitutional construction, as to the powers and duties of the Speaker of the Senate.

Be it therefore,

- 1. Resolved, That the several questions be submitted to the supreme court, on their convening in Raleigh, and their opinion upon the points in dispute, be requested in writing.
- 2. Resolved, That if in the opinion of the court, the Speaker of the Senate cannot exercise the powers of Governor, and at the same time act as Speaker of the Senate, what effect will the exercise of the powers of the two offices by the Speaker of the Senate, have upon the legislation of the session.
- 3. Resolved, That the Speaker of the Senate appoint two members of the Senate, to lay the several propositions involved, before the supreme court, and to submit an argument on the same, if requested by the court.

The resolutions were read, and on motion of Mr. Eaton, laid on the table.

On motion of Mr. Wilder,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of instituting legal proceedings against all banks or trust or insurance companies in this State, that have issued bills, bonds, notes or certificates of deposit, of a less amount than three dollars, and that they report by bill or otherwise.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning bills, bonds and promisory notes;

A bill concerning boats and canoes; and

A bill concerning book debts; which bills were severally read the first time, and passed.

The engrossed bill to protect live stock from malicious destruction was read the first time, and passed, and on motion of Mr. Eaton, referred to the committee on the judiciary.

The engrossed bill to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plankroad Company was read the first time and passed, and on motion of Mr. Eaton referred to the committee on the judiciary.

A message was sent to the House of Commons stating that the Senate have passed the following engrossed bill and resolution, in which they ask the concurrence of the House, viz:

A bill making compensation to justices of the peace for taking the lists of taxable property, and

A resolution directing the Public Treasurer to pay over to the North Carolina Railroad Company five hundred thousand dollars.

The engrossed bill to regulate the floating of timber on the Roanoke river was read the first time and passed, and on motion of Mr. Eaton referred to the committee on the judiciary.

The bill concerning agriculture and geology; and

The bill concerning the amendment of process, &c., were severally read the third time, passed, and ordered to be engrossed.

The bill to lay off and establish a new county by the name of Polk was read the third time, passed, and ordered to be engrossed.

Mr. Gilmer introduced a resolution concerning the Cape Fear and Deep River Navigation company, which was read and adopted.

Mr. Graham introduced a bill to extend the time for registration of grants, deeds, and other conveyances, which was read the first time and passed.

Mr. Taylor, from the committee appointed to superintend the election for two trustees of the University, reported that John W. Cunningham, having received a majority of the whole number of votes given, is duly elected; and that no other person in nomination having received a majority of the whole number of votes given there is no other election. The report was concurred in.

The bill to authorize the Nantahala and Tuckasege Turnpike Company to establish a toll bridge over the Tennessee river, in Macon county, and

The resolution in favor of David A. Ray, & Co., were severally read the third time, passed, and ordered to be engrossed.

On motion of Mr. Wiggins the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, DECEMBER S, 1854.

Mr. Boyd introduced the following resolution which was read and adopted, viz:

WHEREAS, there is a manifest inequality in the present mode of assessing the lands within the State for taxation, for remedy whreof

Be it resolved, That the committee on finance be instructed to inquire whether one or more assessors, to be appointed by the county courts, (at the same court the taxes are laid) whose duty it shall be to act with the justice who takes the tax list as a board of valuation to value all the lands of their county, and certify the same under oath, and in case of disagreement between the assessors and justice, the same to be referred to the committee on finance of their county, subject to an appeal to the county court.

Resolved further, That the finance committee inquire into the propriety of causing the assessment to be made every five years instead of eight, as now provided by law.

Resolved further, That the committee enquire into the propriety of so amending the revised laws, as to provide that the taxes be laid, listed, and collected within the same year.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Yadkin Plankroad Company, reported the same back to the Senate, and recommended its passage.

The bill was read the second time and passed.

On motion of Mr. Thomas, of Davidson, the rules were suspended, and the bill read the third time, passed, and ordered to be engrossed.

Mr. Thomas, of Jackson, introduced a bill to repeal an act, entitled an act to provide for a geological and agricultural survey of the State, passed at the session of 1850-'51, which was read the first time and passed.

Mr. Wilder, from the committee on the judiciary, to whom was referred the engrossed bill, to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plankroad Company, reported the same back to the Senate, with

sundry amendments; the amendments were agreed to, and the bill read the second time, and passed as amended.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Bank of Clarendon, at Fayetteville, reported the same back to the Senate, and recommended its passage.

On motion of Mr. McDowell, ordered to be laid on the table, and be printed.

Received a message from the House of Commons, proposing to increase the number of the joint select committee on banking, to eight on the part of each House. Not concurred in.

Also a message from the House of Commons, transmitting a statement from the president of the Merchants' Bank of Newbern, in relation to the condition of said bank, with a proposition to print the same. Concurred in.

Also the report of the comptroller of the State, for the year ending 31st October, 1854, with a proposition to print one copy of the same for each member of the legislature. Concurred in.

Mr. Faison introduced the following resolution, viz:

Resolved, That the literary board be authorized and required to loan to Clinton female institute in the county of Sampson, out of any moneys belonging to the said board, not otherwise appropriated, the sum of three thousand dollars; on condition that the said institute give good personal security for the payment of the interest, to be paid semi-annually, and the principal at the end of five years from the date of the note.

The resolution was read the first time and passed, and, on motion, referred to the committee on education and the literary fund.

Mr. Walker introduced a bill to compensate the wardens of the poor of Mecklenburg county; which was read the first time and passed, and, on motion, referred to the committee on propositions and grievances.

Mr. Wood introduced a bill, accompanied by a memorial, to emancipate John Good; which was read the first time and passed, and, on motion, the bill and memorial were referred to the committee on propositions and grievances.

On motion of Mr. Cherry,

Resolved, That his Excellency, the Governor of the State, be requested to communicate to the Senate what amount of money

has already been expended in the geological, mineralogical, botanical and agricultural survey of the State, what progress has been made in said survey, what amount of money it is likely to cost, and when it will probably be completed.

The bill concerning apprentices, was read the second time and passed.

Mr. Hoke, from the committee on the judiciary, to whom was referred so much of the Governor's message as relates to the election of the judges and justices of the peace by the people, submitted a report thereon, and asked that the committee be discharged from the further consideration of the subject. Discharged accordingly.

Mr. Hoke, from the same committee to whom was referred the engrossed bill, to protect live stock from malicious destruction, reported the same back to the Senate, with an amendment; the amendment was agreed to, and the bill read the second time, and passed, as amended.

Under a suspension of the rules, the bill was read the third time, and passed; and a message sent to the House of Commons asking their concurrence in the Senate's amendment.

Mr. Hoke, from the same committee, to whom was referred the bill to expedite the trial of certain suits in courts of law, reported the same back to the Senate; when on his motion, the same was referred to the committee on the Revised Statutes.

Mr. Hoke, from the same committee, to whom was referred the bill to cede to the United States of America, certain sites for light-house purposes, reported the same back to the Senate, and recommended its passage.

The bill was read the second time, and passed; and the rules being suspended, said bill was read the third time; passed, and ordered to be engrossed.

The bill concerning Attorney General and Solicitors, and the bill concerning Asylums, were severally read the second time, and passed.

Mr. Hoke, from the committee on the judiciary, to whom was referred a resolution on the subject, reported to the Senate, a bill concerning sheriffs' fees in certain cases; which was read the first time, and passed.

On motion of Mr. Morisey,

Resolved, 'That the committee on public buildings be instruc-

ted to enquire what arrangements are necessary to warm the two Halls of the Capitol, for the accommodation of the General Assembly, so as to render them more comfortable.

The bill concerning attachments, was read the second time, and passed.

The bill to extend the time for registration of grants, deeds and other conveyances, was read the second time, and on motion referred to the committee on the Revised Statutes.

The bill concerning book debts;

The bill concerning boats and canoes;

The bill concerning attorneys at law;

The bill concerning auctions and auctioneers;

The bill concerning bail;

The bill concerning bastard children, and,

The bill concerning bills, bonds and promisory notes; were severally read the second time, and passed.

The bill concerning appeals and proceedings in the nature of appeals, was read the third time; passed, and ordered to be engrossed.

On motion of Mr. Davis, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, DECEMBER 9, 1854.

Mr. Biggs, from the committee on the Revised Statutes reported the following bills, and recommended their passage, viz:

A bill concerning burning woods and hunting;

A bill concerning cattle, horses, and hogs;

A bill concerning charities;

A bill concerning clerks of county and superior courts;

A bill concerning clerks and masters in equity;

A bill concerning commissioners of affidavits and probate of deeds:

A bill concerning common law;

A bill concerning comptroller;

A bill concerning constables; and

A bill concerning coroners;

Which said bills were severally read the first time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to make compensation to the war-

dens of the poor of Mecklenburg county, reported the same back to the Senate and recommended its passage.

The bill was read the second time, amended on motion of Mr. Clark, and passed; the rules were suspended and the bill read the third time, passed, and ordered to be engrossed.

Mr. Clark, from the committee on education and literary fund, to whom was referred the bill to incorporate Union Academy, in the county of New Hanover, reported the same back to the Senate and recommended its rejection.

The bill was read the second time and amended on motion of Mr. Gilmer.

Mr. Cunningham moved further to amend the bill by striking out the second and third sections of the same, or so much thereof as prohibits the sale of spirituous liquors within two miles of the said academy; and the question being taken on striking out was determined in the negative. Ayes 5, noes 34.

The yeas and nays being demanded by Mr. Cunningham,

Those who voted in the affirmative are,

Messrs. Clark, Cunningham, Graves, Martin, and Taylor.—5.

Those who voted in the negative are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Coleman, Davis, Drake, Eaton, Eborn, Fennell, Fisher, Gilmer, Graham, Herring, Hoke, Jones, McClees, McDowell, Mitchell, Morisey, Oldfield, Person, Rayner, Speight, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Willey, Wiggins, and Wood.—34.

The question now recurring on the passage of the bill its second reading as amended, was determined in the affirmative.

Mr. Mitchell introduced a bill to provide for the construction and repairs of public roads, which was read the first time and passed, and on motion of Mr. Thomas of Jackson, referred to the committee on internal improvements and ordered to be printed.

Mr. Gilmer introduced a bill to charter the Fayetteville and Greensborough Railroad Company, which was read the first time and passed, and on motion referred to the committee on internal improvements and ordered to be printed.

Mr. Bower presented a memorial from sundry persons praying for the construction of a plankroad up the valley of the Yadkin,

which on motion was referred to the committee on internal improvements.

Mr. Walker introduced a bill, accompanied by a memorial, to amend an act, entitled an act to incorporate the trustees of Davidson college, passed at the session of 1838-'9.

The bill was read the first time and passed; and, on motion, referred, with the memorial, to the committee on propositions and grievances.

Mr. Thomas, of Davidson, a bill to incorporate Glen Anna female seminary, in the county of Davidson, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Boyd introduced a bill to incorporate the Dan River and Yadkin Railroad Company, which was read the first time and passed; and, on motion of Mr. Graves, referred to the committee on internal improvements, and ordered to be printed.

Mr. Gilmer introduced a bill to incorporate the Bank of Greensboro', which was read the first time and passed; and, on motion, referred to the committee on banking, and ordered to be printed.

On motion of Mr. Eborn,

Resolved, That the committee on the Revised Statutes, be instructed to enquire into the expediency of amending the 26th section of the chapter, entitled roads, ferries and bridges, by adding a proviso, that in cases where a bridge costs the county \$3,000 or more, the county court, a majority of the justices being present, may impose tolls upon persons who are not residents of the county, not exceeding twenty-five cents upon a horse and buggy, and other tolls in proportion thereto, in the discretion of the court.

On motion of Mr. Cherry,

Ordered, That all bills on the subject of banking be referred to the joint committee on banking.

Mr. Biggs offered the following preamble and resolution, viz:

WHEREAS, the great increase of the number of counties in the State, has imposed upon the judges of the superior courts heavy additional duties and expenses without any corresponding compensation, and for the due and proper administration of justice in said courts,

Resolved, (the House of Commons concurring,) That the State ought to be divided into nine judicial circuits, and that a joint

committee of five on the part of each House be appointed and instructed to bring in a bill for that purpose.

The resolution was read, and on motion of Mr. Biggs, ordered to be laid upon the table.

The bill concerning apprentices;

The bill concerning asylums;

The bill concerning attachments;

The bill concerning attorney general and solicitors;

The bill concerning attorneys at law;

The bill concerning boats and canoes;

The bill concerning auctions and auctioneers;

The bill concerning book debts;

The bill concerning bail;

The bill concerning bastard children; and

The bill concerning bills, bonds and promissory notes; were severally read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plankroad Company, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the Senate's amendment.

A bill to repeal an act entitled an act to provide for a geological and agricultural survey of the State, passed at the session of 1850-251, was read the second time, and on motion of Mr. Cherry, ordered to be laid upon the table.

The bill concerning sheriff's fees in certain cases, was read the second time, and on motion, referred to the committee on the Revised Statutes.

Received a message from the House of Commons, transmitting the resignation of Henry S. Clark, as trustee of the University of North Carolina.

Received a message from the House of Commons, transmitting the statement of the Commercial Bank of Wilmington, with a proposition to print the same. Concurred in.

Mr. Biggs offered the following resolution, viz:

Resolved, (the House of Commons concurring,) That this General Assembly adjourn on and after 23d, until 30th instant, and that the members and officers remaining at the Capitol, be allowed their per diem compensation.

The resolution was read, and on motion of Mr. Biggs, laid upon the table.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolutions, in which they ask the concurrence of the House, viz:

A bill concerning appeals and proceedings in the nature of appeals;

A bill concerning agriculture and geology;

A bill concerning abatement of suits;

A bill concerning amendment of process, &c;

A bill to lay off and establish a county by the name of Polk;

A bill to authorise the trustees of the Louisburg female academy, to convey to the Louisburg female college company, certain interests in the female academy ground.

A bill to authorize the Nantahala and Tuckasege turnpike company, to establish a bridge over the Tennessee river, in Macon county.

A resolution in favor of David A. Ray, & Co., and,

A resolution concerning the Cape Fear and Deep river navigation company.

On motion of Mr. McClees, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 11, 1854.

The Speaker announced that Messrs. Ashe, Coleman, and Davis constitute the Senate's branch of the committee on enrolled bills for the present week.

A message was sent to the House of Commons stating that the Senate have passed the following engrossed bills, and ask the concurrence of the House therein, viz:

A bill concerning bills, bonds, and promissory notes;

A bill concerning bastard children;

A bill concerning bail;

A bill concerning auctions and auctioneers;

A bill concerning attachments;

A bill concerning boats and canoes;

A bill concerning asylums;

A bill concerning apprentices;

A bill concerning attorneys at law;

A bill concerning attorney general and solicitors;

A bill concerning book debts;

A bill incorporating the Yadkin Plankroad Company; and

A bill ceding to the United States of America certain sites for light-house purposes.

Mr. Clark, from the committee on education and the literary fund, to whom was referred a resolution in relation to public schools, reported that further legislation on the subject is unnecessary, and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Boyd presented two memorials from sundry citizens of the counties of Rockingham and Stokes on the subject of internal improvement, which, on motion, were referred to the committee on internal improvements.

Mr. Thomas of Jackson introduced a bill to authorize the county court of Macon to lay a tax to defray the expenses of obtaining the right of way for railroad, which was read the first time and passed, and on motion referred to the committee on internal improvements.

Mr. Biggs now called up the resolution introduced by him on Saturday last concerning adjournment, which on his motion, was amended by striking out all after the word resolved, and inserting the following as a substitute, viz:

"That the Senate, on and after 23d instant, until 4th January next, will not consider any bill or resolution upon its second or third reading, except private bills and bills reported by the committee on the Revised Statutes."

The question on the adoption of the resolution as amended, was determined in the affirmative, ages 26, noes 17.

Mr. Mitchell demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Cherry, Cunningham, Drake, Fennell, Fisher, Fonville, Gilmer, Graves, Herring, Jones, McDowell, Mills, Morisey, Oldfield, Person, Rayner, Sanders, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Wilder, Wiggins, Willy and Wood—26.

Those who voted in the negative, are,

Messrs. Ashe, Bower, Boyd, Brogden, Christian, Clark, Coleman, Davis, Eaton, Eborn, Graham, Hoke, Lane, McClees, Martin, Mitchell and Walker—17.

Mr. Fisher introduced a bill for the completion of the North Carolina Railroad, which was read the first time and passed; and, on motion, referred to the committee on internal improvements, and ordered to be printed.

Mr. Fennell introduced a bill to incorporate the bank of Wilmington, which was read the first time and passed, and referred to the committee on banking.

Mr. Graves introduced a bill to incorporate the Greensboro' and Martin's Lime Kiln Plankroad Company, which was read the first time and passed; and, on motion, referred to the committee on internal improvements.

The hour of 11 o'clock having arrived, the Speaker announced the special orders, viz: "The bill to amend the constitution of North Carolina; and the bill concerning a convention." On motion of Mr. Boyd, the consideration of said bills was postponed until to-morrow 11 o'clock, and made the special order of the day for that hour.

Received a message from the House of Commons, transmitting a communication from the president of the Bank of the State and accompanying statements, with a proposition to print the same.

The proposition was concurred in, and the House of Commons informed thereof by message.

Also a communication from the public treasurer and accompanying bank exhibits, with a proposition to print the same. Concurred in, and the House informed thereof.

Mr. Wood introduced a bill authorizing the county court of Craven to pay wardens of the poor; which was read the first time and passed.

The bill concerning burning woods and hunting;

The bill concerning charities;

The bill concerning cattle, horses and hogs; and

The bill concerning clerks of the county and superior courts, were severally read the second time and passed.

Mr. Hoke introduced a bill concerning the fifth judicial circuit; which was read the first time, and passed.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill to provide for the election of a council of select men, in the several counties in this State, reported the same back to the Senate, and recommended that the bill do not pass.

On motion of Mr. Biggs, ordered to be laid on the table.

The bill concerning clerks and masters in equity:

The bill concerning commissioners of affidavits and probates of deeds;

The bill concerning common law;

The bill concerning comptroller;

The bill concerning constables, and,

The bill concerning coroners; were severally read the second time, and passed.

The bill to incorporate Union academy in the county of New Hanover, and for other purposes, was read the third time.

Mr. Wilder moved, that the bill be laid on the table; which motion was not carried.

Mr. Thomas of Jackson, moved that the further consideration of the bill be postponed until Wednesday next, at the hour of 12 o'clock.

The motion prevailed, ayes 21, noes 17.

Mr. Thomas called the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Cunningham, Drake, Eaton, Eborn, Fisher, Fonville, Graves, Herring, Jones, Martin, Oldfield, Person, Sanders, Taylor, Thomas of Jackson, and Wilder—21.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Davis, Freeman, Gilmer, Graham, McClees, McDowell, Mills, Mitchell, Morisey, Tayloe, Thomas, of Davidson, Wiggins, Willey, and Wood—17.

On motion of Mr. Biggs, the rules were suspended, and the bill concerning burning woods and hunting, was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Mills, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, DECEMBER 12, 1854.

Mr. Wiggins introduced a bill to amend the 7th section of chapter 17 of the Revised Code, entitled "cattle, horses and hogs;" which was read the first time and passed, and, on motion, referred to the committee on propositions and grievances.

On motion of Mr. McDowell,

Resolved, That the committee on finance be instructed to inquire into the expediency of so amending the revenue act, as to compel the *hirer* to give in slaves subject to taxation.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning corporations;

A bill concerning county boundaries;

A bill concerning county revenue and charges;

A bill concerning county trustees;

A bill concerning court houses, prisons, &c.; which were severally read the first time and passed.

A message was sent to the House of Commons, stating that the Senate had passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning burning woods and hunting; and

A bill to compensate the wardens of the poor of Mecklenburg county.

Mr. Fisher introduced a bill to incorporate the Western North Carolina Railroad Company; which was read the first time and passed, and on motion of Mr. Thomas of Jackson, referred to the committee on internal improvement, and ordered to be printed.

The hour of 11 o'clock having arrived, the Speaker announced the orders of the day.

The bill to amend the constitution of the State of North Carolina being first read and amended on motion of Mr. Boyd, Mr. Graham moved to amend the same by striking out all after the words "A Bill," and inserting the following in lieu thereof, viz: "Concerning a convention to amend the constitution of the State."

Whereas, divers propositions have been made for amending the constitution of the State, and this general assembly has reason to believe that a large portion of the people of North Carolina are desirous of amending the same; and although the general assembly disclaims all right and power in itself, to ordain and establish amendments of the constitution, it is considered to be its duty to adopt measures for ascertaining the will of the people in the premises, and to carry that will into effect in the most convenient and efficacious manner, when ascertained. Therefore,

SEC. 1. Be it enacted by the General Assembly of the State

of North Carolina, and it is hereby enacted by the authority of the same, That the courts of pleas and quarter sessions of the several counties in the State, at the term thereof to be held next after the first day of April 1855, shall appoint two inspectors to superintend the polls, to be opened at each and every separate election precinct in said counties, for ascertaining, by ballot, the will of the freemen of North Carolina, relative to the calling of a State convention; and if any such court or courts shall fail to make such appointments, or if any person so appointed, shall fail to appear and act as such, at the election hereinafter directed to be held, it shall be the duty of the sheriff of the county, or his deputy, at any precinct, with the advice of one justice of the peace, or if no justice be present, with the advice of three freeholders, to appoint an inspector, when the court shall have failed to make an appointment, or in place of any person who has been appointed and failed to appear and act; and the inspector or inspectors thus appointed, when duly sworn by some justice of the peace faithfully to perform their duties in such election, shall have the same authority as if appointed by a court, as aforesaid.

SEC. 2. Be it further enacted, That it shall be the duty of the sheriff in each and every county in the State, to open polls at the several election precincts in his county, on the first Thursday in August next, when all persons qualified, according to the constitution, to vote for members of the House of Commons, may vote for or against a State convention to amend the constitution; those desiring such convention, to vote with a written or printed ticket, "Convention," and those not wishing a convention, to vote with a like ticket, "No Convention."

SEC. 3. Be it further enacted, That it shall be the duty of the said sheriffs to make duplicate returns of the polls in their respective counties, sworn to before the clerk of the county court, one copy of which shall be deposited in said clerk's office, and the other copy transmitted to the Governor of the State, at Raleigh, within ten days after the holding of said polls.

SEC. 4. Be it further enacted, That it shall be the duty of the Governor, as soon as he shall have received the returns of the sheriffs, in the presence of the secretary of State, public treasurer and comptroller, to compare the votes for and against a convention, and if it shall appear that a majority of the votes polled are in fa-

vor of it, he shall forthwith issue his proclamation, announcing the result in three newspapers, published in the city of Kaleigh; and he shall likewise issue a writ of election to every sheriff in the State, requiring him to open polls for the election of delegates to a convention, under the same regulations and penalties that are prescribed for holding other State elections, on the first Thursday in October, A. D. 1855.

- SEC. 5. Be it further enacted, That the persons who shall have been inspectors in the election for taking the votes on convention, shall act in the same capacity in the election of delegates; but in case of failure the vacancies shall be supplied in the manner provided as aforesaid.
- SEC. 6. Be it further enacted, That the several county courts shall allow the sheriff the same compensation for this as for other elections; and any sheriff or other officer appointed to hold said election, who shall fail in his duty according to the requirements of this act, shall forfeit and pay to the State the sum of one thousand dollars, to be recovered in the name of the State in a suit to be immediately instituted by the solicitor of the circuit before the superior court of the county.
- Sec. 7. Be it further enacted, That all persons qualified to vote for members of the House of Commons under the present constitution shall be entitled to vote for members of the said convention; and all free white men, citizens of this State, who shall have resided in the same for two years next before said election, and at the time thereof are eligible to the House of Commons under the present constitution, shall be eligible to a seat in said convention.
- Sec. 8. Be it further enacted, That each county in the State shall be entitled to elect and send to said convention the same number of members that it is entitled to in the House of Commons under the apportionment now existing, and if any vacancy, shall happen by death or otherwise after such election, and before the meeting of said convention, the Governor shall immediately issue a writ of election to supply such vacancy.
- Sec. 9. Be it further enacted, That the delegates so chosen shall convene in the city of Raleigh, on the first Monday of December, A. D. 1855; a majority of all those elected shall constitute a quorum for the transaction of business, and if a quorum

shall not attend on that day, those assembled may adjourn from day to day until a quorum shall appear and qualify.

SEC. 10. Be it further enacted, That no elected delegate shall be permitted to take his seat in said convention until he shall have taken an oath to support the constitution of the United States, and also the following oath, namely, "I, A. B., do solemnly swear or affirm (as the case may be) that I will faithfully and impartially perform my duty in this convention by revising the constitution of this State, and proposing and supporting amendments to the same in such particulars only as, in my opinion, the public good shall require. So help me God."

Sec. 11. Be it further enacted, That the public treasurer be, and he is hereby authorized to pay upon the warrant of the Governor, such sums as may be necessary for the contingent charges of the convention, and also to each member of the convention two dollars per day for his services in the same, and five cents per mile for his travelling expenses to and from said convention.

Sec. 12. Be it further enacted, That it shall be the duty of the Governor, immediately after the passage of this act, to transmit a copy of the same to each and every clerk of a county court, to be posted at the door of the court-house of his county, and to cause the same to be published in at least two newspapers in the State until the meeting of said convention.

Sec. 13. Be it further enacted, That by the vote of the people in favor of a convention, in the manner herein before provided, this act shall be considered to have been ratified and its provisions ordained by them, and the delegates elected as aforesaid, in convention assembled, shall have power to consider and propose such amendments to the constitution of North Carolina as to them shall seem best suited to establish justice, ensure domestic tranquility, and preserve the blessings of liberty in the present condition of the people of the State.

SEC. 14. Be it further enacted, That the said convention shall have power, and it shall be its duty, to adopt ordinances for submitting such amendments as they may propose to the suffrages of the freemen of the State qualified to vote in the House of Commons, at such times as shall be designated by itself, and a majority of their votes shall determine the question of their ratification or rejection. And the said convention shall also provide all necessary

ordinances and regulations for carrying into effect the constitution as amended: *Provided*, the same shall be ratified by the popular votes as aforesaid.

SEC. 15. Be it further enacted, That this act shall be in force from its ratification.

Pending the consideration of which, on motion of Mr. Hoke, the further consideration of the same was postponed until to-morrow, 12 o'clock, M.

Received a message from the House of Commons, proposing to raise a joint select committee, to take into consideration that portion of the Governor's message, which relates to the university of North Carolina, and that said committee consist of five on the part of the House, and three on the part of the Senate.

The proposition was concurred in; and the House of Commons informed by message, that Messrs. Graham, Person, and Ashe, constitute the Senate's branch of the committee on the subject.

Mr. Wilder introduced a bill to authorise the Raleigh and Gaston Railroad Company, to take stock in the Roanoke Valley Railroad Company; which was read the first time, and passed; and on motion, referred to the committee on internal improvements.

On motion of Mr. Hoke, the Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, DECEMBER 13, 1854.

Mr. Walker presented a memorial from sundry citizens of Mecklenburg county in relation to public roads, widow's dower, &c., which on motion, was referred to the committee on the Revised Statutes.

Mr. Sanders presented a memorial from sundry citizens of Johnston county, in relation to common schools, which on motion, was referred to the committee on education and the literary fund.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning courts of equity, and

A bill concerning the supreme court; which bills were severally read the first time, and passed.

Mr. Fisher from the committee on internal improvements, to whom was referred the bill to provide for the issue of additional

stock by the Seaboard and Roanoke Railroad Company, reported the same back to the Senate and recommended its passage.

The bill was read the second time, and passed.

Mr. Fisher, from the same committee, to whom was referred the bill to authorise the county court of Macon county to lay a tax to defray the expenses of obtaining the right of way for railroad, reported the same back to the Senate, and recommended its passage.

The bill was read the second time and passed.

Mr. Fisher, from the same committee to whom was referred the bill concerning the Fayetteville and Centre Plankroad Company, reported the same back to the Senate, and recommended its passage.

On motion of Mr. Fisher, ordered that the bill be laid on the table, and printed.

Mr. Thomas of Jackson, presented the petition of sundry citizens west of Buncombe, praying the extension of the North Carolina Railroad west, &c.; which, on motion, was referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to emancipate John Good, reported the same back to the Senate, with sundry amendments.

The amendments reported by the committee were agreed to; the bill was now read the second time.

Mr. Morisey moved further to amend the same, so as to confine the residence of the said John Good to Craven county; which amendment was disagreed to.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative, ayes 28, noes 17.

Mr. Mills demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Bower, Boyd, Brogden, Christian, Coleman, Davis, Eaton, Faison, Fisher, Fonville, Freeman, Gilmer, Graham, Haughton, Hoke, Lane, McClees, Martin, Mitchell, Rayner, Sanders, Speight, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, and Wood.—28.

Those who voted in the negative, are,

Messrs. Biggs, Cherry, Clark, Collins, Cunningham, Drake, Eborn, Graves, Herring, Jones, Mills, Morisey, Oldfield, Taylor, Wilder, Wiggins and Willey.—17.

Received a message from the House of Commons, transmitting a communication from the acting Governor of the State, informing the General Assembly that there were four vacancies in the board of trustees of the University of North Carolina.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to lay off and establish a new county by the name of Vernon, reported the same back to the Senate, and recommended its passage.

The bill was read the second time; when, on motion of Mr. Rayner, the further consideration of the same was postponed until the 5th day of January next, and made the special order for that day.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, viz: "The bill to amend the constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham, pending the consideration of which;

· On motion of Mr. Hoke, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, DECEMBER 14, 1854.

Mr. Morisey presented a petition from sundry citizens of Robeson county, praying the passage of a law to prohibit the traffic in all intoxicating liquors; which on motion was referred to the committee on propositions and grievances.

Mr. Sanders, the petition of sundry citizens of Johnston county, praying that W. S. Ballinger be authorised to erect a dam across Neuse river; which on motion, was referred to the committee on propositions and grievances.

Mr. Davis, a petition from sundry citizens of Burke county, praying for the passage of a law prohibiting entirely the traffic in intoxicating liquors; which on motion, was referred to the committee on propositions and grievances.

Mr. McDowell, a memorial from sundry citizens of the county of New Hanover, concerning a marine hospital in the town of Wilmington; which on motion, was laid on the table.

Mr. Tayloe presented a memorial from the citizens of Beaufort county, praying for the passage of a mechanic's lien law; which on motion, was referred to the committee on the judiciary.

Mr. Faison presented a petition for aid to the Fayetteville and Warsaw Plankroad Company; which on motion, was referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to amend the charter of Davidson college, reported the same back to the Senate, and recommended that it do not pass.

Mr. Boyd, from the same committee, to whom was referred a resolution on so much of the Governor's message, as relates to common public highways, reported the same back to the Senate, and asked to be discharged from the further consideration of the subject. Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred the bill to amend the 7th section of chapter 17th, of the revised code, entitled "cattle, horses and hogs," reported the same back to the Senate, and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported a bill concerning crimes and punishments, and recommended its passage.

The bill was read the first time, and passed.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Washington Savings Institute in Beaufort county, reported the same back to the Senate, and recommended its passage.

Received a message from the House of Commons, stating that they have passed an engrossed resolution, concerning produce carried on railroads &c., in which they ask the concurrence of the Senate.

The resolution was read, adopted, and ordered to enrollment.

Received a message from the House of Commons, stating that their branch of the select joint committee on that portion of the Governor's message which relates to the University, consists of Messrs. Shepherd, Barringer, Bynum of Rutherford, Outlaw and Lyon.

Also, a message from the House of Commons, stating that Mr. Philips has been excused from serving on the committee on the Deaf, Dumb and Blind Asylum, and Mr. Chadwick appointed in his place.

Received a message from the House of Commons, proposing to

go into the election for four trustees of the University of North Carolina, to-day at 11 o'clock.

The proposition was agreed to, and the Commons informed by message, that Messrs. Graves and McClees form the Senate's branch of the committee, to superintend the election; and that the names of RALPH GORRELL and W. H. OLIVER, are added to the nomination.

Mr. Wilder introduced a bill to incorporate the Gardner Hill Mining Company, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. Tho.nas of Jackson, called up the bill to authorise the county court of Macon to lay a tax to defray the expenses of obtaining the right of way for railroad.

The bill was read the third time, and, on motion of Mr. Graham, laid on the table.

Received a message from the House of Commons, stating that the hour having arrived, they would proceed to vote for four trustees of the University, on the return of the messenger; that Messrs, Bryant and Chadwick would superintend the election on the part of the House, and that Messrs. Wm. T. Dortch, Jas. H. Dixon, Jesse G. Shepherd, Warren Winslow, Jas. L. Gaines, R. H. Smith, Saml. F. Phillips, Nathaniel Roan, J. G. Bynum, Geo. D. Baskerville, D. T. Tayloe, H. B. Elliott, Joseph B. Cherry and Jno. P. Jordan, are in nomination.

The Senate, under the superintendence of Messrs. Graves and McClees, then voted by ballot.

On motion by Mr. Rayner,

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee of three on the part of the Senate, and five on the part of the House of Commons, to whom shall be referred that portion of the Governor's message, relating to the proposition to erect a monument in Independence Square in Philadelphia, in commemoration of the declaration of independence, and in honor of the signers thereof.

Mr. Haughton introduced the following resolution, which was read, and ordered to be laid on the table, viz:

Resolved, 'That a select committee, consisting of five members of the Senate, be appointed to take into consideration the present state of the geological survey of the State, the propriety of contin-

uing the same, and of publishing the reports of the State geologist that have been, or may hereafter be made.

On motion of Mr. McDowell,

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee of two on the part of the Senate, and three on the part of the House, to consider the subject of establishing a marine hospital at the town of Wilmington, and all the memorials and papers relating thereto.

Mr. Thomas of Davidson, presented a memorial from a number of citizens in the county of Davidson, praying an amendment to the liquor laws of this State; which, on motion, was referred to the committee on propositions and grievances.

Received a message from the House of Commons transmitting the following engrossed bills and resolutions, in which they ask the concurrence of the Senate, viz:

A bill to amend an act to define the duties and powers of turn-pike and plankroad companies;

A bill to emancipate Jerry, a slave, which was read the first time and passed, and by motion referred to the committee on propositions and grievances;

A resolution concerning the deaf and dumb asylum, which was read and adopted and ordered to be enrolled; and

A resolution to furnish the public treasurer with one hundred copies of his report, which was read the first time and passed.

The hour of 12 o'clock having arrived, the Senate resumed the consideration of the special order, being "the bill to amend the constitution of the State of North Carolina," the pending question being on the amendment proposed by Mr. Graham.

Pending the consideration of which, after debate,

On motion of Mr. Martin, the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, DECEMBER 15, 1854.

Nathan Winslow, the Senator elect from the 1st Senatorial district, (composed of the counties of Pasquotank and Perquimons,) appeared, produced his credentials, was qualified and took his seat.

Mr. Graves introduced the memorial of Betts, Pusey and Harlan, which, by motion, was referred to the committee on claims.

Mr. Thomas of Davidson presented a memorial from sundry citizens of Forsythe county, on the subject of amending the law granting license to retailers of spirituous liquors, which by motion, was referred to the committee on propositions and grievances.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to authorize the Raleigh and Gaston Railroad Company to take stock in the Roanoke Valley Railroad Company, reported the same back to the Senate and recommended its passage.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the French Broad Railroad Company, reported the same back to the Senate without recommending any action thereon.

On motion by Mr. Coleman,

Ordered, That the bill be recommitted to said committee.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to emancipate Jerry, a slave, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom the subject was referred, reported a bill to authorise Wm. S. Ballinger, his associates and assigns, to construct a dam across Neuse river, and recommended its passage.

The bill was read the first time, and passed.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the resolution respecting disorderly conduct at places of divine worship, reported that further legislation on the subject is unnecessary, and asked that the committee be discharged from its further consideration. Discharged accordingly.

Mr. Biggs, from the same committee, reported a bill concerning criminal proceedings, and recommended its passage.

The bill was read the first time, and passed.

Mr. Graves, from the committee appointed to superintend the election for four trustees of the University, reported that John G. Bynum, having received a majority of the whole number of votes given, is duly elected, and that no other person in nomination having received a majority, there is no other election. Report concurred in.

Received a message from the House of Commons, proposing to go into an election for three trustees of the University, to-day at $11\frac{1}{2}$ o'clock; concurred it, and the House of Commons informed by message, that the Senate's branch of the committee to superintend the election, consists of Messrs. Speight and Christian.

Mr. Graham introduced the following resolutions, which were read and adopted, viz:

Resolved, That the public treasurer be directed to furnish to the Senate, a statement showing the several sums received by way of premium, either on the sale of the bonds sold by him, to pay the State's subscription in the North Carolina Railroad Company, the Fayetteville and Western Plankroad Company, or other public works, as well as a statement of the sums received as premium of exchange, on the moneys realized from the sale of such bonds; and that he inform the Senate whether the sums thus received, as premium, either upon sales or exchange as aforesaid, have been set apart, invested, or kept in the treasury as funds to meet the payments of interest on the debts, respectively incurred by the sale of said bonds, or have been devoted to pay the current demands on the treasury; and if they have been devoted to the latter purpose, by what authority of law, they have been so applied.

Resolved, further, That in the event it shall appear that the sums received by way of premium as aforesaid, have been applied to the current expenses of government; what is the amount of indebtedness of the public fund to the premium fund aforesaid at the end of the last fiscal year, and whether there would have been a deficiency in the public fund at that time if all such premiums had been set apart and kept as funds for the payment of interest as aforesaid, and if so, the amount of such deficiency.

Mr. Fisher introduced a bill concerning the salaries of certain officers, which was read the first time and passed, and by motion, referred to the committee on propositions and grievances.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incrporate Glen Anna Female Seminary, in the county of Davidson, reported the same back to the Senate and recommended its passage.

On motion by Mr. Biggs the resolution concerning the judicial circuits was now taken up and made the special order of the day for Monday next, at the hour of 11 o'clock.

Mr. Thomas, of Jackson, now called up the bill to authorize the county court of Macon to lay a tax to defray the expenses of obtaining the right of way for railroad.

The bill was read the third time, amended by motion of Mr. Thomas, passed as amended, and ordered to be engrossed.

The bill concerning the sixth judicial circuit was read the second time, when on motion by Mr. Biggs the further consideration of the same was postponed until Monday next, at the hour of 11 o'clock.

'The bill authorizing the county court of Craven to pay wardens of the poor was read the second time, amended by the sevral motions of Messrs. Drake, Faison, and Martin, by extending its provisions to the counties of Nash, Sampson, Stokes, and Forsythe, and passed its second reading as amended.

The bill concerning county boundaries; and

The bill concerning corporations, were severally read the second time and passed.

The engrossed resolution, to furnish the public treasurer with 100 copies of his report, was read the second time and passed, and the rules being suspended, the resolution was read the third time; passed, and ordered to be enrolled.

Received a message from the House of Commons, stating that the hour having arrived, the House would proceed to vote for trustees on the return of the messenger, and that Messrs. Green of Person, and Simmons, constitute their branch of the committee to superintend the election.

On motion by Mr. Graham, the name of Thos. J. Mortsey, was added to the nomination.

The Senate under the superintendence of Messrs. Speight and Christian, then voted by ballot.

The bill concerning county revenue and charges; and

The bill concerning county trusteess, were severally read the second time, and passed.

The hour of 12 o'clock having now arrived, the Senate resumed the consideration of the special order; being "the bill to amend the Constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham.

Pending the consideration of which on motion, by Mr. Haughton,

the further consideration of the same, was postponed until to-morrow, 12 o'clock.

Received a message from the House of Commons, transmitting sundry resignations of justices of the peace.

Received a message from the House of Commons, concurring in the proposition of the Senate, to raise a joint select committee, to consider the subject of establishing a marine hospital in the town of Wilmington, and informing that Messrs. Williams of New Hanover, Baxter and Chadwick, constitute the House branch of the committee on the subject.

Whereupon, Messrs. McDowell and Cherry, were appointed the committee on the part of the Senate, and the House informed thereof.

Also, stating that the House of Commons concur in the proposition, to raise a joint select committee to consider that portion of the Governors message, which relates to erecting a monument in Independence Square, Philadelphia; and that Messrs. Lyon, Wilkins, A. D. Headen, Leach of Moore, and Cofield, constitute the House branch of the committee.

The House of Commons were informed by message, that Messrs. Rayner, Graves, and Oldfield, constitute the committee on the part of the Senate.

The bill concerning charities;

The bill concerning common law;

The bill concerning cattle, horses and hogs;

The bill concerning commissioners of affidavits and probate of steeds;

The bill concerning clerks and masters in equity;

The bill concerning coroners;

The bill concerning constables; and

The bill concerning comptroller; were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to provide for the issue of additional stock by the Seaboard and Roanoke Railroad Company was read the third time, passed, and ordered to be engressed.

Mr Christian, from the committee appointed to superinted the election for trustees of the University, reported that no person

in nomination having received a majority of the whole number of votes given, there is no election. Report concurred in.

On motion of Mr. Mills, the Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, DECEMBER 16, 1854.

Mr. Jones presented the memorial of sundry citizens in Currituck county in relation to a ship canal to unite the waters of Albemarle, Currituck and Pamlico Sounds with the Chesapeake Bay; which, by motion, was referred to the committee on internal improvements.

Mr. Collins presented a memorial from sundry citizens of Granville and Franklin counties, upon the subject of temperance; which, by motion, was referred to the committee on propositions and grievances.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning currency;

A bill concerning deeds and conveyances; and

A bill concerning descents; which were severally read the first time and passed.

Received a message from the House of Commons, proposing to go into the election for three trustees of the University to-day at $11\frac{1}{2}$ o'clock. Concurred in ; and the House of Commons informed by message, that Messrs. Herring and Winston, of Pasquotank, constitute the Senate's branch of the committee to superintend the election.

Also that the name of RALPH GORRELL is withdrawn, and the names of W. W. Holden, and Thomas I. Faison added to the nomination.

Also a message transmitting a communication from the president of the Bank of Cape Fear, and accompanying statements, with a proposition to print the same.

The proposition to print was concurred in, and the House of Commons informed thereof by message.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the bill to extend the time for registration of grants, deeds and other conveyances, reported a substitute for the same, and recommended its passage.

On motion by Mr. Willey,

Resolved, That the committee on the Revised Statutes be instructed to inquire into the propriety of so amending the 1st section of the Revised Statutes, chapter 40, entitled "an act concerning the draining of low lands," as to provide, instead of the method therein prescribed, an application to a magistrate, who, thereupon, shall summon three freoholders to assess the damages; giving also to the party dissatisfied, an appeal from their decision to the county or superior court.

Mr. Wilder, from the committee on banking, to whom a resolution on the subject was referred, reported the same back to the Senate, and asked to be discharged from its further consideration.

On motion by Mr. Biggs,

Ordered, That the report be laid on the table.

Mr. Wilder, from the same committee, to whom was referred the bill regulating the conduct of banks upon their dissolution, reported the same back to the Senate and recommended that it do not pass.

On motion by Mr. Biggs,

Ordered, That the bill be laid on the table.

Mr. Cherry introduced a bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company, which was read the first time and passed, and by motion referred to the committee on corporations.

The engrossed bill to amend an act to define the duties and powers of turnpike and plankroad companies, was read the first time and passed, and by motion of Mr. Graham, referred to the committee on the judiciary.

The bill concerning court-houses, prisons, &c.; and

The bill concerning the supreme court, were severally read the second time and passed.

Mr. Hoke submitted the following resolutions, viz:

Resolved, That the agent to be appointed by the Governor to procure documentary evidence of the history of North Carolina, shall in case he deem it necessary to visit London for that purpose, be entitled to receive his travelling expenses and all other necessary expenses for clerk hire, &c., to be ascertained and allowed by the next general assembly.

Resolved, That the Governor be authorized to procure a copy

of "Tryon's North Carolina Papers," now on file in Harvard college, and that the expenses for copying the same be paid out of any moneys in the treasury department not otherwise appropriated.

The resolutions were read and referred to a select committee of three, viz., Messrs. Hoke, Graham, and Wilder.

On motion, Mr. Fisher was excused from further service on the committee of the Revised Statutes.

The engrossed bill to emancipate Jerry, a slave, was read the second time.

Mr. Person moved to amend the same by adding the following proviso to the last section, viz;

Provided, further, That if the said Jerry shall at any time after his emancipation remove himself from the said county of Mecklenburg, and remain out of said county for the space of thirty days he shall forfeit his freedom.

The amendment was rejected.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative. Ayes 28, noes 15.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Ashe, Bower, Boyd, Brogden, Christian, Coleman, Cunningham, Davis, Eaton, Faison, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Lane, McClees, McDowell, Martin, Mitchell, Rayner, Speight, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, and Wood.—28.

Those who voted in the negative are,

Messrs. Biggs, Cherry, Clark, Collins, Drake, Eborn, Faison, Fonville, Jones, Oldfield, Person, Taylor, Wilder, Wiggins, and Willey.—15.

So the bill passed its second reading.

Received a message from the House of Commons stating that the hour having arrived, they will proceed to vote for three trustees on the return of the messenger; that Messrs. Oglesby and Davenport will superintend the election on the part of the House, and that A. J. DARGAN is in nomination.

The Senate then proceeded to ballot under the superintendence of Messrs. Herring and Winslow of Pasquotank.

Received a message from the acting Governor of the State, by the hands of his private secretary, S. F. Adams, in answer to a resolution of enquiry concerning the geological survey of the State, accompanied by a report from the State geologist.

Ordered, that the same be printed.

The Speaker laid before the Senate a communication from the magistrate of police of the town of Wilmington, tendering the hospitalities of that town to the members of the general assembly and its officers.

A message was sent to the House of Commons, stating that the Senate has passed the following revised bills, and asks the concurrence of the House therein, viz:

A bill concerning comptroller;

A bill concerning constables;

A bill concerning coroners;

A bill concerning clerks and masters in equity;

A bill concerning commissioners of affidavits &c;

A bill concerning cattle, horses and hogs;

A bill concerning common law, and

A bill concerning charities.

The hour of 12 o'clock having arrived, the Senate resumed the consideration of the special order, being "the bill to amend the Constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham.

Pending the consideration of which, after debate,

On motion of Mr. Graham, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 18, 1854.

Received a message from the House of Commons, transmitting a communication from the magistrate of police for the town of Wilmington, and accompanying resolutions, proposing to raise a joint select committee of three on the part of the House, and two on the part of the Senate, to consider the same, &c.

The proposition was concurred in, and the House informed by message, that Messis. Faison and Morisey constitute the Senate's branch of the committee on the subject.

Received a message from the House of Commons, transmitting

a communication from the public treasurer, with accompanying bank exhibits, with a proposition to print the same.

Concurred in; and the House of Commons informed thereof

by message.

Mr. Walker presented the resignation of J. M. C. Hunter, a justice of the peace for the county of Mecklenburg, which was read and accepted.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the McCulloch Copper and Gold Mining Company, reported the same back to the Senate, with an amendment, and recommended its passage.

Mr. Herring, from the committee appointed to superintend the election for three trustees of the University, reported that no person in nomination having received a majority of the whole number of votes given, there is no election. Concurred in.

On motion by Mr. Clark, leave of absence was granted to the Senator from Beaufort, from and after to-day, until the first day of January next.

Mr. Sanders introduced a resolution in favor of Bryant R. Hinnant, former sheriff of Johnson county, which was read the first time, passed, and referred to the committee on propositions and grievances.

On motion by Mr. Fennell, the committee on banks was discharged from further consideration of the bill to incorporate the Bank of Wilmington, and leave granted to withdraw said bill from the files of the Senate.

Mr. Tayloe, introduced a bill, accompanied by a memorial, to incorporate the Pamlico Bank; which was read the first time, and passed; referred to the committee on banks, and ordered to be printed.

Mr. Graham introduced a bill accompanied by a memorial, to emancipate James G. Hostler; which was read the first time, and passed, and on motion, referred to the committee on propositions and grievances.

The hour of 11 o'clock having arrived, the Speaker announced the orders of the day; the resolution proposing nine judicial circuits, being first read, Mr. Walker moved to amend the same by striking out nine and inserting eight; which motion prevailed.

Mr. Graham moved to amend the resolution by striking out all

after the word "Resolved," and inserting the following in lieu thereof, viz:

That a message be sent to the House of Commons proposing to raise a joint select committee of five on the part of each House, to enquire into the expediency of establishing an eighth judicial circuit: which amendment was agreed to; but on motion by Mr. Haughton, reconsidered.

Mr. Jones moved, that the resolution and amendment be indefinitely postponed

The question on which motion was determined in the negative, ayes 23, noes 24.

Those who voted in the affirmative, are,

Messrs Ashe, Brogden, Christian, Eborn, Fonville, Freeman, Haughton, Herring, Jones, Lane, McClees, Martin, Mitchell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Thomas of Davidson, Wiggins, Willey, and Winslow—23.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Cherry, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Faison, Fennell, Fisher, Gilmer, Graham, Graves, Hoke, McDowell, Mills, Taylor, Thomas of Jackson, Walker, and Wood—24.

The question now recurred on the adoption of the amendment proposed by Mr. Graham, and was determined in the affirmative, ayes 26, noes 21.

Mr. Haughton demanded the yeas and nays.

Those voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Clark, Collins, Cunningham, Davis, Drake, Eaton, Faison, Fennell, Fisher, Freeman, Gilmer, Graham, Graves, McDowell, Mills, Taylor, Wm. H. Thomas, Walker, Winslow, and Wood—26.

Those who voted in the negative, are,

Messrs. Christian, Coleman, Eborn, Fonville, Haughton, Herring, Hoke, Jones, Lane, McClees, Martin, Mitchell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, J. W. Thomas, Wiggins, and Willey—21.

The bill concerning the sixth judicial circuit, which was also one of the special orders, was now taken up, and on motion of Mr. Gilmer, ordered to be laid on the table.

Mr. Thomas, of Jackson, introduced a bill to cause railroad

companies to fence their tracks in this State; which was read the first time and passed, and by motion, referred to the committee on propositions and grievances.

The bill concerning county boundaries;

The bill concerning court houses, prisons, &c.;

The bill concerning county trustees; and

The bill concerning the clerks of the county and superior courts; were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

Received a message from the House of Commons, transmitting a communication from the acting Governor of the State, accompanied by the annual report of the treasurer of the board of trustees of the University of North Carolina.

On motion by Mr. Graham, ordered that the report be printed. The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, viz: "The bill to amend the constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham,

On motion by Mr. Brogden, the further consideration of the same was postponed until to morrow 11 o'clock.

The Senate now took up for consideration the special order, viz: "The bill to incorporate Union Academy in the county of New Hanover, and for other purposes." The bill was read the third time. Mr. Biggs moved to amend the same by striking out the first section; which motion did not prevail. The bill then passed its third reading, and was ordered to be engrossed.

The bill to emancipate John Good was read the third time.

Mr. Faison moved to amend the same, by adding the following as an additional section, viz:

"Be it further enacted, That the said John Good shall not remove his residence or domicil from the county of Craven to any other county in this State, unless by permission from the county court of the county to which he proposes to remove."

The amendment was rejected.

The bill now passed its third reading, and was ordered to be engrossed.

The bill concerning revenue and charges, and the bill concern-

ing the Supreme court, were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to authorise the county courts of Craven, Nash; Sampson, Forsyth and Stokes to pay wardens of the poor, was read the third time, passed, and ordered to be engrossed.

The engrossed bill to emancipate Jerry, a slave, was read the third time, passed, and ordered to be enrolled.

The bill concerning corporations, was read the third time, passed, and ordered to be engrossed.

The bill to extend the time for registration of grants, deeds, and other conveyances, was read the second time, the substitute reported by the committee agreed to, and the bill passed its second reading.

The bill to amend the 7th section of chapter 17 of the Revised Code, entitled "cattle, horses and hogs," was read the second time and passed.

The bill concerning crimes and punishments;

The bill concerning courts of equity; and

The bill to amend an act entitled an act to incorporate the trustees of Davidson College, passed at the session of 1838-29, were severally read the second time and passed.

The bill to authorise Wm. S. Ballinger, his associates and assigns, to construct a dam across Nense river, was read the second time, amended, and passed.

The bill to incorporate the Washington Savings Institution, in Beaufort county, and,

The bill to authorise the Raleigh and Gaston Railroad Company to take stock in the Roanoke Valley Railroad Company, were severally read the second time, and passed.

The bill to incorporate Glen Anna Female Seminary, in the county of Davidson, was read the second time, and passed; ayes 30, noes 12.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Coleman, Davis, Eaton, Eborn, Faison, Fennell, Fonville, Freeman, Gilmer, Graham, Haughton, Herring, Jones, Lane, McClees, McDowell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Wm. H. Thomas, Wilder, Wiggins, Willy and Wood—30.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Collins, Cunningham, Drake, Graves, Mills, Taylor and Walker—12.

The bill concerning descents;

The bill concerning currency, and,

The bill concerning criminal proceedings, were severally read the second time, and passed.

Received a message from the House of Commons, concurring in the proposition of the Senate, to raise a joint select committee to enquire into the expediency of establishing an eighth judicial circuit, and informing that Messrs. Shepherd, Baxter, Jordan, Leach of Davidson, and Waugh, form the House branch of the committee.

Received a message from the House of Commons, stating that the House branch of the committee on the invitation from the magistrate of police of the town of Wilmington, consists of Messrs. Williams of New Hanover, Vance and Settle.

On motion of Mr. Cherry, the Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, DECEMBER 19, 1554.

Mr. Morisey, from the joint select committee to whom was referred the invitation of the magistrate of police, on behalf of the cuizens of Wilmington, tendering the hospitalities of their place to the members of the general assembly during the christmas holidays, submitted a report thereon in favor of the acceptance of the same.

Whereupon Mr. Morisey offered the following resolution, viz: Resolved, That the two houses of the general assembly, (the House of Commons concurring) do adjourn on Friday, the 22d instant, to meet again on Wednesday, the 27th instant, at 11 o'clock.

Mr. Graham offered the following amendment as a substitute for the resolution submitted by Mr. Morisey, viz:

Resolved, (the House of Commons concurring) That the Speakers of the two houses of the general assembly be directed to inform the magistrate of police of the town of Wilmington, that the members of the two houses will not find it convenient to visit that town during the christmas holidays, and that they re-

spectfully decline the invitation to do so, received from said magistrate as the representative of the citizens of Wilmington.

The amendment was agreed to, and the resolution adopted as amended

Received a message from the House of Commons transmitting a communication from Wm. Murphy, &c., extending an invitation to the members of the general assembly to meet the citizens of Rowan county, at Salisbury, on the 4th day of January, 1855, to celebrate the completion of the central railroad to that place.

On motion by Mr. Cherry,

Ordered, That the Speaker be directed to inform Mr. Murphy, &c., that the members of the general assembly very respectfully decline the invitation so kindly extended to them.

The hour of 11 o'clock having arrived the Senate proceeded to the consideration of the special order, viz:

"The bill to amend the constitution of the State of North Carolina," the question pending being on the amendment proposed by Mr. Graham.

After some time spent in debate,

On motion by Mr. Graham, the further consideration of the subject was postponed until to-morrow, 11 o'clock.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred

The resolution concerning the draining of low lands, and

The resolution concerning entries and grants, reported the same back to the Senate and asked to be discharged from their further consideration. Discharged accordingly.

Received a message from the House of Commons stating that the House has passed the engrossed resolution in relation to the invitation from the citizens of Wilmington to visit that town during the christmas holidays, with the following amendment, viz: Strike out all after "Resolved, the House of Commons concurring," and insert "That the thanks of this general assembly be returned to the people of Wilmington for their tender of hospitalities to this body, and as many of the members as may find it convenient will accept the invitation," and ask the concurrence of the Senate therein.

The question on concurring with said amendment was determined in the negative. Ayes 20, noes 25.

Mr. Bower demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Cherry, Christian, Davis, Drake, Eborn, Faison, Fennell, Freeman, Gilmer, Graves, Haughton, Hoke, Jones, Lane, McClees, McDowell, Martin, Morisey, Sanders, and Thomas of Jackson.—20.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Eaton, Fisher, Fonville, Graham, Herring, Mills, Mitchell, Oldfield, Person, Speight Taylor, Thomas of Davidson, Walker, Wiggins, Willey, Winslow of Pasquotank, and Wood—25.

So the Senate refused to concur.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bill, in which it asks the concurrence of the House, viz:

A bill concerning clerks of the county and superior courts;

A bill concerning corporations;

A bill concerning county boundaries;

A bill concerning county revenue and charges;

A bill concerning county trustees;

A bill concerning court houses, prisons &c., and

A bill concerning the supreme court.

On motion by Mr. Boyd, leave of absence was granted to Mr. Person, from and after to-day, until the 4th day of January next.

Mr. Cunningham introduced a bill to incorporate the town of Roxboro', in Person county; which was read the first time, and passed, and by motion, referred to the committee on corporations.

Mr. Cherry introduced a bill to authorise the president and directors of the literary fund, to appoint an agent for the swamp lands; which was read the first time, and passed, and by motion, referred to the committee on swamp lands.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning draining and damming low lands, and

A bill concerning elections of President and Vice President; which said bills were severally read the first time, and passed.

A message was sent to the House of Commons, informing that Messrs. Biggs, Graham, Ashe, Hoke and Brogden, constitute the Senate's branch of the committee to enquire into the expediency of establishing an eighth judicial circuit.

Received a message from the House of Commons, transmitting a communication from the treasurer of the State.

Also, an engrossed "resolution, giving the treasurer authority to borrow \$100,000, to meet the demands on the treasury," in which they ask the concurrence of the Senate.

On motion by Mr. Graham,

Ordered, That the communication be printed.

The resolution was read the first time, and passed.

On motion by Mr. Bower, the rules were suspended, and said resolution read the second and third times; passed, and ordered to enrollment.

Received a message from the House of Commons, stating that it insists on its amendment to the resolution, relative to the invitation to Wilmington.

Mr. Hoke moved that the Senate do now recede; which motion prevailed, ayes 25, nays 19.

Mr. Walker demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Brogden, Cherry, Christian, Collins, Davis, Drake, Faison, Fennell, Freeman, Gilmer, Graves, Haughton, Herring, Hoke, Jones, Lane, McDowell, Martin, Morisey, Sanders, Speight, Thomas of Jackson, Wiggins, and Wood—25.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Coleman, Cunningham, Eaton, Eborn, Graham, McClees, Mills, Mitchell, Oldfield, Person, Taylor, Thomas of Davidson, Walker, Wilder, Willey and Winslow of Pasquotank—19.

On motion by Mr. Hoke, leave of absence was granted to the Senators from Granville and Person, from the 23d to the 30th inst.

On motion by Mr. Mitchell, leave of absence was granted to the Senator from Bertie, from and after Saturday next, until the 4th of January 1855.

On motion by Mr. Freeman, the Senate adjourned until tomorrow 10 o'clock.

WEDNESDAY, DECEMBER 20th, 1854.
On motion by Mr. Boyd, leave of absence was granted to the

Senator from Currituck, for Monday, Tuesday and Wednesday next.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the town of Roxboro', in Person county, reported the same back to the Senate, and recommended its passage.

The bill was read the second time, and passed.

On motion by Mr. Cunningham, the rules were suspended, and the bill read the third time, passed, and ordered to be engrossed.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Gardner Hill Mining Company, reported the same back to the Senate, with an amendment.

Received a message from the House of Commons, proposing to go forthwith into an election for seven councillors of State, which was concurred in.

Whereupon, on motion by Mr. Faison, the following persons were put in nomination, viz: Wm. Badham, O. R. Kenan, M. T. Hawkins, Benjamin Trollinger, Owen D. Holmes, Larkin Stowe, and Saml. R. Love; and Messrs. Faison and Christian appointed the Senate's branch of the committee to superintend the election, and the House of Commons informed thereof by message.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning entries and grants;

A bill concerning divorce and alimony;

A bill concerning estates;

A bill concerning evidence; and

A bill concerning executors;

Which said bills were severally read the first time and passed. Received a message from the House of Commons transmitting a communication from the acting Governor of the State, with an accompanying report from the superintendent of common schools, with a proposition to print the same.

Concurred in; and the House of Commons informed thereof by message.

Received a message from the House of Commons stating that they would proceed to vote for councillors of State on the return of the messenger; that Messrs. Wm. Foy, Wm. M. Shipp, Jas.

A. Long, Thomas J. Speller, Charles L. Partee, and L. B. Carmichael are in nomination, and that Messrs. Meares and Oglesby will superintend the election on the part of the Commons.

The Senate, under the superintendence of Messrs. Faison and

Christian, then voted as follows:

For Mr. Badham:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Walker, Wilder, Willey, and Wood.—31.

For Mr. Kenan: — Messrs. Speaker, Biggs, Bower, Boyd. Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Haughton, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Walker, Wilder, Willey, and Wood.—33.

For Mr. Hawkins:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Walker, Wilder, Wiggins, Willey, and Wood.—33.

For Mr. Trollinger:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Davidson, Walker, Wilder, Willey and Wood.—35.

For Mr. Holmes:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Haughton, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Walker, Wilder, Willey and Wood.—33.

For Mr. Stowe:—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Collins, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Walker, Wilder, Willey and Wood.—32.

For Mr. Love.—Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Davis, Drake, Eaton, Faison, Fisher, Fennell, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Thomas of Davidson, Walker, Wilder, Willey and Wood.—32.

For Mr. Speller:—Messrs. Ashe, Cherry, Christian, Davis, Eboin, Freeman, Gilmer, Haughton, McClees, Mitchell, Tayloe and Wiggins,—12.

For Mr. Shipp:—Messrs. Cherry, Christian, Davis, Graham, Mitchell, Morisey and Wiggins.—7.

For Mr. Long:—Messrs. Cherry, Christian, Eborn, Gilmer, Mitchell, Thomas of Davidson, and Wiggins.—7.

For Mr. Foy: Messrs. Cherry, Christian, Eborn, Gilmer, Mitchell and Wiggins.—6.

For Mr. Parker:—Messrs. Cherry, Christian, Eborn, Gilmer, Mitchell and Wiggins.—6.

For Mr. CARMICHAEL:—Messrs. Cherry, Davis, Eborn, Gilmer, Mitchell and Wiggins.—6.

For Mr. R. H. Cowan:—Messrs. Cherry, Eborn, Gilmer and Thomas of Davidson.—4.

For J. H. Montgomery:—Messrs. Christian, Freeman, Graham and Lane—4.

For Geo. Davis:—Messrs. Freeman, Graham, Morisey and Winslow of Pasquotank—4.

For C. L. PAYNE:—Messrs. Gilmer, Graham, Thomas of Davidson, and Winslow of Pasquotank—4.

For Jas. W. Osborne:—Messrs. Ashe, Freeman, Graham and Winslow of Pasquotank—4.

For Mr. Roan:—Messrs. Freeman, Graham, Winslow of Pasquotank—3.

For T. R. CALDWELL: -Messrs. Ashe, Davis and Morisey-3.

For J. B. CHERRY.—Messrs. Lane, Morisey, and Winslow of Pasquotank—3.

For Wm. Murphy:—Messrs. Davis, and Thomas of Davidson—2.

For A. Erwin:—Messrs. Freeman, and Winslow of Pasquotank—2.

For J. L. Gains: -Messrs. Ashe and Haughton-2.

For Andrew Joyner:—Messrs. Graham and Winslow of Pasquotank—2.

For C. Jones: Messrs. Ashe and Haughton-2.

For R. T. PAINE: -Messrs. Ashe and Freeman-2.

Mr. Ashe voted for Jas. P. Leake.

Mr. Morisey voted for Thomas S. Ashe, R. C. Troy and John Baxter.

Mr. Cunningham voted for David Coleman.

Mr. Lane voted for J. W. Cunningham and A. Mitchell; J. W. Thomas, J. H. Haughton and John F. Hoke; and Mr. Haughton voted for W. Leake.

The hour of 11 o'clock having now arrived, the Senate proceeded to the consideration of the special order, viz:

"The bill to amend the constitution of the State of North Carolina."

The pending question being on the amendment proposed by Mr. Graham,

Mr. Lane called for a division, and moved that the question be first taken on striking out, which was ordered, and upon the question to strike out, the vote stood, yeas 16, nays 31.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Davis, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Rayner, Thomas of Davidson, Wiggins, Willey and Winslow of Pasquotank—16.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Wilder, Walker and Wood—31.

So the Senate refused to strike out.

Mr. Gilmer, now moved to amend the bill by adding the following as section 2nd, viz:

"Be it further enacted, (three fifths of the whole number of members of each House concurring,) That the third section of the fourth article of the amended Constitution, ratified by the vote of the people on the second Monday of November, A. D. 1835, be repealed, and that the following be inserted in its stead:

"Taxation shall be equal and uniform throughout the State, and all property other than slaves, shall be taxed in proportion to its value, which shall be ascertained in such manner as may be prescribed by law.

Every slave who has attained the age of twelve years, shall be assessed with a tax equal to, and not exceeding that assessed on land, of the value of three hundred dollars.

Slaves under that age shall not be subject to taxation; and other taxable property may be exempted from taxation by the vote of a majority of the whole number of members elected to each House of the General Assembly.

A capitation tax equal to the tax assessed on land of the value of three hundred dollars shall be levied on every white male inhabitant between the ages of twenty-one and forty-five years; but nothing herein contained shall prevent exemption of taxable polls, in cases of bodily infirmity, or prevent taxes on incomes, salaries and licenses."

The question on which said amendment was determined in the negative, yeas 11, noes 35.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Christian, Davis, Freeman, Gilmer, Graham, Hanghton, Lane, Morisey, Rayner, Thomas of Davidson, and Winslow of Pasquotank—11.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Cherry, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, and Wood—35.

So the amendment was rejected.

Mr. Person now moved to amend the bill by striking out all after the words "as follows" in the 9th line of the 1st section of the printed bill, and inserting the following in lieu thereof, viz:

"All free white men of the age of twenty-one years, who are citizens of this State, and who have been inhabitants of the same for one year immediately preceding the day of any election, and who have paid public taxes within the same time, shall be enti-

tled to vote for a member of the Senate, in the district in which they reside."

The amendment was rejected, yeas 22, nays 25.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Clark, Davis, Eaton, Eborn, Freeman, Gilmer, Graham, Haughton, Hoke, Lane, McClees, McDowell, Mitchell, Morisey, Person, Rayner, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank—22.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Coleman, Collins, Cunningham. Drake, Faison, Fennell, Fisher, Fonville, Graves, Herring, Jones, Martin, Mills, Oldfield, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder, and Wood—25.

Mr. Haughton, now moved to amend the bill by adding the following proviso, viz:

"Provided, That no foreigner, unless a naturalized citizen, shall be entitled to vote for a member of either branch of the General Assembly of this State."

The question on which, said amendment was determined in the negative, yeas 20, nays 26.

Mr. Hanghton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Cunningham, Davis, Eaton, Eborn, Freeman, Gilmer, Graham, Graves, Haughton, Lane, McClees, Mitchell, Morisey, Rayner, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank—20.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Coleman, Collins, Drake, Faison, Fennell, Fisher, Fonville, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder, and Wood—26.

Mr. Mitchell, now moved to amend the bill, by striking out all after the word "A bill," and inserting the following in lieu thereof, viz:

"Concerning a convention to amend the constitution of the State."

Sec. 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of

the same, (two thirds of the whole number of each House of the general assembly concurring,) That the court of pleas and quarter sessions of the several counties in this Stare, at the term thereof to be held next after the first day of April, 1855, shall appoint two inspectors to superintend the polls to be opened at each and every separate election precinct in said counties, for ascertaining by ballot the will of the freemen of North Carolina, relative to the calling of a State convention; and if any such court or courts shall fail to make such appointment, or if any person so appointed shall fail to appear and act as such at the election hereinafter directed to be held, it shall be the duty of the sheriff of the county or his deputy at any precinct, with the advice of one justice of the peace, or if no justice be present, with the advice of three freeholders to appoint an inspector, when the court shall have failed to make an appointment, or in place of any person who has been appointed and failed to appear and act; and the inspectors thus appointed, when duly sworn by some justice of the peace faithfully to perform their duties in said election, shall have the same authority as if appointed by a court as aforesaid.

- SEC. 2. Be it further enacted, That it shall be the duty of the sheriff in each and every county in the State, to open polls at the several election precincts in his county, on the first, Thursday in August next, when all persons qualified according to the constitution to vote for members of the House of Commons, may vote for or against a convention to amend the constitution. Those desiring such convention to vote with a written or printed ticket "convention," and those not wishing a convention to vote with a like ticket "no convention."
- SEC. 3. Be it further enacted, That it shall be the duty of the said sheriffs to make duplicate returns of the polls in their respective counties, sworn to before the clerk of the county court, one copy of which shall be deposited in said clerk's office, and the other copy transmitted to the Governor of the State, at Raleigh, within ten days after the holding of said polls.
- SEC. 4. Be it further enacted, That it shall be the duty of the Governor, as soon as he shall have received the returns of the sheriffs, in the presence of the secretary of State, public treasurer, and comptroller, to compare the votes for and against a convention; and if it shall appear that a majority of the votes polled

are in favor of it, he shall forthwith issue his proclamation announcing the result, in three newspapers published in the city of Raleigh, and he shall likewise issue a writ of election to every sheriff in the State, requiring him to open polls for the election of delegates to a convention, under the same regulations and penalties that are now prescribed for holding other State elections, on the first Thursday in October, A. D. 1855.

SEC. 5 Be it further enacted, That the persons who shall have been inspectors in the election for taking the vote on convention, shall act in the same capacity in the election of delegates; but in case of failure the vacancies shall be supplied in the manner provided as aforesaid.

SEC. 6. Be it further enacted, That the several county courts shall allow the sheriffs the same compensation for this as for other elections, and any sheriff or other officer appointed to hold said election, who shall fail in his duty according to the requirements of this act, shall forfeit and pay to the State the sum of one thousand dollars, to be recovered in the name of the State in a suit to be immediately instituted by the solicitor of the circuit before the superior court of the county.

SEC. 7. Be it further enacted, That all persons qualified to vote for members of the House of Commons under the present constitution, shall be entitled to vote for members of the convention; and all free white men, citizens of this State, who shall have resided in the same for two years next before said election, and at the time thereof are eligible to the House of Commons under the present constitution, shall be eligible to a seat in said convention.

SEC. 8. Be it further enacted, That each county in this State shall be entitled to elect and send to said convention the same number of members that it is entitled to in the House of Commons under the apportionment now existing: and if any vacancy shall happen by death or otherwise after such election and before the meeting of said convention, the Governor shall immediately issue a writ of election to supply such vacancy.

SEC. 9. Be it furter enacted, That the delegates so chosen, shall convene in the city of realeigh on the first Monday of December, A. D., 1855; a majority of all those elected shall constitute a quorum for the transaction of business; and if a quorum

shall not attend on that day, those assembled may adjourn from day to day, until a quorum shall appear and qualify.

SEC. 10. Be it further enacted, That no elected delegate shall be permitted to take his seat in said convention, until he shall have taken an oath to support the constitution of the United States, and also the following oath, namely, I, (A. B.) do solemnly swear or affirm, (as the case may be) that I will faithfully and impartially perform my duty in this convention, by revising the constitution of this State, and proposing and supporting amendments to the same, in such particulars only as, in my opinion, the public good shall require, so help me God."

SEC. 11. Be it further enacted, 'That the public treasurer be, and he is hereby authorized to pay, upon the warrant of the Governor, such sums as may be necessary for the contingent charges of said convention, and also to each member of the convention two dollars per day for his services in the same, and five cents per mile for his travelling expenses to and from said convention.

SEC. 12. Be it further enacted, That it shall be the duty of the Governor, immediately after the passage of this act, to transmit a copy of the same to each and every clerk of a county court, to be posted at the door of the court house of his county, and to cause the same to be published in at least two newspapers in the State, until the meeting of said convention.

SEC. 13. Be it further enacted, That by the vote of the people in favor of a convention, in the manner hereinbefore provided, this act shall be considered to have been ratified, and its provisions ordained by them; and the delegates elected as aforesaid, in convention assembled, shall have power to consider and propose such amendments to the constitution of North Carolina, as to them shall seem best suited to establish justice, ensure domestic tranquility, and preserve the blessings of liberty in the present condition of the people of the State.

SEC. 14. Be it further enacted, That the said convention shall have power, and it shall be its duty to adopt ordinances for submitting such amendments as they may propose to the suffrages of the freemen of the State qualified to vote in the House of Commons, at such time as shall be designated by itself; and a majority of their votes shall determine the question of their ratification

or rejection: And the said convention shall also provide all necessary ordinances and regulations for carrying into effect the constitution as amended; *Provided*, the same shall be ratified by the popular vote as aforesaid.

Mr. Cherry moved to amend the amendment of Mr. Mitchell, by adding the following as an additional section, viz:

Beit further enacted, That no delegate elected shall be permitted to take a seat in the convention called by the provisions of this bill, until he shall have taken and subscribed the following oath or affirmation: I, (A. B.) do solemnly swear, (or affirm, as the case may be,) that I will in no manner whatever, alter, change or amend, the basis of representation in the General Assembly of the State of North Carolina, as it now exists.

The question on which said amendment to the amendment, was determined in the negative; yeas 17, nays 31.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Cunningham, Eaton, Freeman, Graham, Graves, Haughton, McClees, McDowell, Morisey, Person, Rayner, Speight, Willey and Winslow of Pasquotank—17.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Davis, Drake. Eborn, Faison, Fennell, Fisher, Fonville, Gilmer, Herring, Hoke, Jones, Lane, Martin, Mills, Mitchell, Oldfield, Sanders, Taylor, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins and Wood—31.

So the amendment to the amendment was rejected.

The question now recurring on the amendment proposed by Mr. Mitchell,

Mr. McClees called for a division of the question, and demanded that the question should first be taken on striking out.

Mr. Clark raised a point of order, and insisted that the motion to strike out was not in order, a similar motion having heretofore been rejected by the Senate.

The chair decided that the motion is in order, from which decision Mr. Clark appealed; and the question being put, shall the decision of the chair stand as the judgment of the Senate, the same was decided in the affirmative; yeas 41, nays 7.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, McDowell, Martin, Mills, Mitchell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—41.

Those who voted in the negative are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, and Fennell.—7.

So the chair was sustained.

And the question recurring on striking out, was decided in the negative. Yeas 17, nays 31.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Ashe, Cherry, Christian, Davis, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Rayner, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank.—17.

Those who voted in the negative are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder, and Wood.—31.

So the amendment was lost.

Mr. Ashe moved to amend the bill by adding the following as section 2d, viz:

Be it further enacted, (three-fifths of each House concurring) that the following be inserted as an additional amendment to the constitution: "That no tax shall be imposed and levied by the General Assembly on real estate, which shall exceed the proportion to the capitation tax of six cents on the hundred dollars value of land to twenty cents on each poll."

The amendment was rejected. Ayes 19, noes 29.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Ashe, Cherry, Christian, Davis, Eaton, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Rayner, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank.—19.

Those who voted in the negative are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder, and Wood.—29.

The question now recurred on the passage of the bill its first reading, and was determined in the affirmative, three-fifths of the whole number of Senators having voted in its favor.

Mr. McClees demanded the yeas and nays,

Those who voted in the affirmative are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Willey, and Wood.—34.

Those who voted in the negative are,

Messrs. Cherry, Eaton, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Rayner, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank.—14.

On motion by Mr. Wilder the bill was now taken up and made the special order of the day for Monday, the 8th day of January next, at the hour of 12 o'clock.

On motion by Mr. Person,

Resolved, That a message be sent to the House of Commons proposing that a committee of one on the part of the Senate and two on the part of the House of Commons, be appointed to wait on his Excellency, Thomas Bragg, and inform him of his election as Governor of North Carolina, for two years from the first day of January next, and to ascertain from him when it will suit his convenience to appear before the two houses of this General Assembly and take the oaths of office.

On motion by Mr Person,

Resolved, That a message be sent to the House of Commons,

proposing to raise a joint select committee consisting of four members on the part of each House, whose duty it shall be to make suitable arrangements for the reception of his Excellency, Thomas Bragg, at such time as he may designate to take the oaths of office.

Mr. Faison, from the committee appointed to superintend the election for councillors of State, reported that William Badham, O. R. Kenan, M. T. Hawkins, Benj. Trollinger, Owen D. Holmes, Larkin Stowe, and Samuel R. Love, having each received a majority of the whole number of votes given, are duly elected. Report concurred in.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill to emancipate John Good;

A bill to incorporate Union Academy in the county of New Hanover, and for other purposes, and

A bill to authorise the courts of pleas and quarter sessions of the counties of Craven, Nash, Sampson, Stokes, and Forsyth, to pay the wardens of the poor.

Mr. Christian presented the petition of sundry citizens of the town of Fayetteville, praying the general assembly for the passage of an act to emancipate Handy, a slave, and others.

Which on motion, was referred to the committee on propositions and grievances.

On motion, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, DECEMBER 21, 1854.

Mr. Wilder, from the committee on banking, to whom was referred the bill to recharter the Bank of Cape Fear, reported the same back to the Senate, with amendments.

Ordered, That the amendments be printed, and that the bill be made the special order of the day for Tuesday, the 9th day of January next.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Bank of Clarendon, at Fayetteville, reported the same back to the Senate, with amendments.

Ordered, That the bill be made the special order of the day for the 9th day of January next.

Mr. Brogden moved that a message be sent to the House of Commons, proposing to go forthwith into the election of three trustees of the University.

The motion was disagreed to.

Mr. Hoke, from the select committee to whom was referred the resolution to procure documentary evidence of the history of North Carolina, reported the same back to the Senate, with amendments.

The resolution was read the second time, the amendments proposed agreed to, and the resolution passed its second reading, as amended.

On motion, the rules were suspended, and the resolution read the third time, passed, and ordered to be engrossed.

Mr. Thomas of Jackson, introduced a resolution to authorize the Literary Board to loan the Franklin Female Academy, in the county of Macon, \$2,000; which was read the first time, passed, and by motion, referred to the committee on education and the literary fund.

On motion by Mr. Wilder, leave of absence was granted to the Senator from Ouslow, from and after to-day, until the first day of January next.

Mr. Rayner, from the select committee, to whom was referred so much of the Governor's message as relates to the erection of a monument in Independence Square, Philadelphia, &c., submitted a detailed report thereon, accompanied by a bill to aid the erection of a monument commemorative of the declaration of American independence.

The bill was read the first time and passed.

Received a message from the House of Commons, concurring in the proposition of the Senate to raise a joint committee of two on the part of the Commons, and one on the part of the Senate, to wait on his Excellency, Thomas Bragg, Governor elect, to inform him of his election, and ascertain when it will suit his convenience to appear before the two Houses, to take the oaths of office.

And that the committee on the part of the House of Commons, consists of Messrs. Singeltary and Baxter.

Whereupon, Mr. Person was appointed the committee on the part of the Senate, and the House of Commons informed thereof.

Received a message from the House of Commons, agreeing to raise a joint select committee of four on the part of each House, to make suitable arrangements for the reception of his excellency Thomas Bragg, at such time as he may designate to take the oaths of office, and announcing that Messrs. Yancy, Patterson, Martin and Shipp, form their part of the committee on the subject.

Whereupon, Messrs. Person, Morisey, Sanders and Ashe, were appointed the committee on the part of the Senate, and the House of Commons informed thereof by message.

Mr. Wilder introduced a bill to establish the Central Bank of North Carolina, which was read the first time, and passed, and referred to the committee on banking, and ordered to be printed.

Mr. Martin introduced a bill to incorporate the Salem and Clemonsville Plankroad Company, which was read the first time, and passed, and referred to the committee on internal improvements.

Mr. Mills introduced a bill to incorporate the Howard's Gap Turnpike Company, which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Cunningham, leave of absence was granted to the Senator from Caswell, from and after to-morrow, until the first day of January next.

On motion by Mr. Cherry, leave of absence was granted to the Senator from Anson, from and after to-morrow, until the first day of January next.

On motion by Mr. Eaton, leave of absence was granted to the Senator from Halifax, from and after to morrow, until the first day of January next.

On motion by Mr. Biggs, leave of absence was granted to the Senator from Bladen, from and after to morrow, for five days next ensuing.

On motion by Mr. Wilder, leave of absence was granted to the Senator from New Hanover, from and after to-morrow, until the first day of January next.

Mr. Thomas of Jackson, moved that a message be sent to the House of Commons, proposing to adjourn, from and after to-morrow, until Tuesday next.

Which was agreed to; yeas 27, nays 17.

Those who voted in the affirmative, are,

Messis. Ashe, Cherry, Christian, Clark, Collins, Drake, Faison, Fennell, Fonville, Gilmer, Haughton, Herring, Jones, Lane, McClees, McDowell, Martin, Morisey, Oldfield, Rayner, Sanders, Speight, Thomas of Davidson, Thomas of Jackson, Wiggins, Willey, and Wood—27.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Coleman, Cunningham, Eaton, Eborn, Freeman, Graham, Graves, Hoke, Mills, Mitchell, Walker, Wilder, and Winslow of Pasquotank—17.

On motion by Mr. Hoke, leave of absence was granted to the Senators from Carteret, and Greene, from and after to-morrow, until the first day of January next.

Received a message from the House of Commons, transmitting a report from the committee of finance, with a proposition to print the same.

Concurred in, and the House of Commons informed thereof by message.

Received a message from the House of Commons, proposing to go into an election of public treasurer to-day at 1 o'clock.

Concurred in, and the House of Commons informed, that Messrs. Herring and Willey form the Senate's branch of the committee to superintend the election.

Received a message from the House of Commons, proposing to increase the number of the joint select committee on monuments, to five members on the part of the House, and three on the part of the Senate, and that said committee be directed to take into consideration the propriety of erecting monuments to the North Carolina heroes and patriots of the revolution, &c., &c.

Concurred in, and the House of Commons informed that Mr. Herring is appointed a member of the committee on the part of the Senate.

On motion by Mr. Graves, leave of absence was granted to Mr. Fisher, from and after to-day, until the first day of January next.

The bill to incorporate a company to construct a ship canal to unite the waters of Albemarle, Currituck and Pamlico Sounds, with the Chesapeake Bay, and for other purposes, was now taken

up; and by motion of Mr. Jones, made the special order of the day for the 10th day of January next, at 12 o'clock.

The bill to extend the time for the registration of grants, deeds and other conveyances, and

The bill to authorise the Raleigh and Gaston Railroad Company to take stock in the Roanoke Valley Railroad Company, were severally read the third time, passed, and ordered to be engrossed.

The bill to amend an act entitled an act to incorporate the trustees of Davidson College, passed at the session of 183S-'9, was read the third time, amended by motion of Mr. Coleman passed as amended, and ordered to be engrossed.

The bill to amend the 7th section of chapter 17, of the revised code, entitled "cattle, horses and hogs," was read the third time.

Mr. Eaton moved to amend the same, by striking out all after the enacting clause, and inserting the following as a substitute, viz:—

"That when any cattle or other live stock shall be killed or injured by the engines or cars running upon any railroad, it shall be prima facie evidence of negligence on the part of the company; in any suit for damages against such company: Provided, however, that no person shall be allowed the benefit of this act, unless he shall bring suit within six months after his cause of action shall have accrued."

The amendment was adopted, and the bill passed its third reading as amended, and was ordered to be engrossed.

The bill concerning courts of equity, was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill to authorise Wm. S. Ballinger, his associates and assigns, to construct a dam across Neuse river, was read the third time.

On motion by Mr. Wilder, the bill was amended by adding the following proviso to the first section, viz:

"Provided, That no dam shall be authorised to be constructed under this act, unless the said Wm. S. Ballinger and his associates, shall construct and erect a cotton factory near said dam, within five years from the passage of this act."

The bill was further amended, on motion by Mr. Sanders, by adding the following proviso to the 2nd section, viz:

"Provided, That nothing herein contained, shall prevent the Neuse River Navigation Company, or any other company which may hereafter be incorporated, from constructing a lock in said dam, if at any time, such lock should be necessary for the navigation of said river."

The bill now passed its third reading as amended, and was ordered to be engrossed.

A message was received from the House of Commons, stating that the hour having arrived, they would proceed to vote for public treasurer on the return of the messenger, and that Messrs. Love and White of Gaston, will superintend the election on the part of the House.

The Senate, under the superintendence of Messrs. Herring and Willey, then voted as follows:

For Mr. Courts:—Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Freeman, Gilmer, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, McDowell, Martin, Mills, Mitchell, Morisey, Sanders, Speight, Taylor, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—43.

The bill concerning currency, and,

The bill concerning descents,

Were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

Mr. Thomas of Jackson, by leave, introduced a bill to amend an act, entitled an act to incorporate the Ocanalufta and Quallatown Turnpike Company, passed at the session of 1850-'51, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Herring, from the committee appointed to superintend the election for public treasurer, reported that Daniel W. Courts having received a majority of the whole number of votes given, is duly elected. Report concurred it.

On motion by Mr. Wilder, the Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, DECEMBER 22, 1854.

Mr. Thomas, of Jackson, presented a petition in relation to the construction of sundry turnpike roads, which was referred to the committee on internal improvements.

Received a message from the House of Commons concurring in the proposition of the Senate to adjourn from to-morrow until Tuesday next.

Received a message from the House of Commons stating that they concur in the amendment proposed by the Senate to the bill to protect live stock from malicious destruction.

Also in the amendment proposed to the bill to amend an act of the session of 1850, entitled "an act to incorporate the Fayetteville and Northern Plankroad Company;" ordered that said bill be enrolled.

Received a message from the House of Commons transmitting the recommendation of sundry justices of the peace for Lenoir county. Concurred in.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning executors and administrators, which was read the first time and passed.

Mr. Eaton, from the committee on the judiciary, to whom was referred the bill to make indictable certain trespasses, reported the same back to the Senate and recommended that the same do not pass.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill to amend an act to define the powers and duties of plankroad companies, reported the same back to the Senate with amendments.

Mr. Hoke, from the same committee, to whom was referred the bill to regulate the floating of ton timber on the Roanoke river, reported the same back to the Senate with amendments.

Mr. Hoke, from the same committee, to whom was referred a resolution in relation to the passage of a lien law for ship and house carpenters, &c., reported the same back to the Senate and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Hoke, from the same committee, to whom was referred so much of the Governor's message as relates to the formation of

two additional judicial circuits, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Hoke, from the same committee, to whom was referred a petition to restore Ephraim Lutz to his marital rights, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly, and the memorial ordered to be laid on the table.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to amend and continue in force, an act to incorporate the Burrowdale Mining and Transportation Company, reported the same back to the Senate, with an amendment.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate Howard's Gap Turnpike Company, reported the same back to the Senate, and recommended its passage.

On motion by Mr. Bower, leave of absence was granted to the Senator from Warren, from and after to-morrow, until the first day of January next.

Mr. Graham introduced a bill to incorporate Gillis Copper Mining Company; which was read the first time and passed, and referred to the committee on corporations.

Mr. Hoke, from the committee on the judiciary, to whom was referred the resolution to inquire into the expediency of requiring executors named in last wills and testaments to give bond and security, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Rayner introduced a resolution, authorizing a loan by the Literary Board to the Wesleyan Female College; which was read the first time and passed, and by motion, referred to the committee on education and the literary fund.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill concerning descents;

A bill concerning currency; and

A bill concerning courts of equity.

The bill to incorporate the McCulloch Copper and Gold Mining

Company, was read the second time; the substitute reported by the committee agreed to, and the bill passed its second reading as amended.

Received a message from the House of Commons, stating that they have passed the engrossed resolution, authorising the treasurer to pay the balance of the State's subscription to the North Carolina Railroad Company, with an amendment, in which they ask the concurrence of the Senate.

The amendment proposed is as follows:

Strike out all after the word "Resolved," and insert the following, viz:

"That the treasurer of the State be authorised to pay to the North Carolina Railroad Company, the sum of two hundred and eighty thousand dollars, either in cash or bonds of the State, at par, in settlement of the balance due on the last instalment of the State's subscription."

The question on concurring in said amendment was determined in the affirmative: yeas 36, nays—none.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Brogden, Cherry, Coleman, Cunningham, Davis, Eaton, Eborn, Faison, Fennell, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, Martin, Mills, Mitchell, Morisey, Rayner, Sanders, Speight, Taylor, Thomas of Jackson, Thomas of Davidson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—36.

So the amendment was unanimously concurred in.

On motion of Mr. Thomas of Jackson, the Senate adjourned until Tuesday, 12 o'clock, M.

TUESDAY, DECEMBER 26, 1854.

The speaker took the chair at 12 o'clock, and no quorum being present,

On motion by Mr. Walker,

The Senate adjourned until to-morrow 12 o'clock, M.

WEDNESDAY, DECEMBER 27, 1854.

The Speaker took the chair, according to adjournment, and no quorum being present,

On motion by Mr. Rayner,

The Senate adjourned until to morrow 12 o'clock, M.

THURSDAY, DECEMBER 28, 1854.

The Speaker took the chair, according to adjournment, and no quorum being present,

On motion by Mr. Graham,

The Senate adjourned until to-morrow 11 o'clock, A. M.

FRIDAY, DECEMBER 29, 1854.

The Speaker took the chair at 11 o'clock, and no quorum being present,

On motion by Mr. Wilder,

The Senate adjourned until to-morrow 10 o'clock, A. M.

SATURDAY, DECEMBER 30, 1854.

The Speaker took the chair at 10 o'clock, and no quorum being present,

On motion by Mr. Walker,

The Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 1, 1855.

A message was sent to the House of Commons stating that Messrs. Davis and Faison are substituted on the committee of arrangements to receive the Governor elect, in the place of Messrs. Ashe and Person.

The Speaker announced that Messrs. Gilmer, Herring and Taylor constitute the Senate's branch of the committee on enrolled bills the present week.

A message was received from the House of Commons transmitting the following report of the committee to superintend the reception of the Governor, viz:

"The committee appointed to make arrangements for the inauguration of the Governor elect, ask leave to make the following report:

"That the Speakers of the two houses will occupy the place at the Speaker's table in the Commons Hall, and that the Governor elect and the chief justice of the supreme court will occupy the place at the clerk's table, the remaining judges of the supreme

court will occupy the seats directly in front of the clerk's table, and the committee of arangements those immediately in front of the judges of the supreme court; the members of the Senate will sit on the right of the Speaker's chair in the Commons hall, which will be set apart for that purpose, and after the Governor elect shall have taken and subscribed the oath of office in the presence of the members of both branches of the General Assembly, the Speaker of the Senate will announce that the Senators will retire to the Senate chamber, and thereupon the Governor, judges, and committee of arrangements will first retire, and then the Speaker of the Senate will retire at the head of the members of the Senate."

The report was concurred in.

The same message also stated that the House of Commons have passed the engrossed accompanying resolution directing the Speakers of the two houses to reply to the invitation of the citizens of Salisbury to attend a celebration in that town on the 4th proximo, in which they ask the concurrence of the Senate.

The resolution was read and adopted.

Mr. Bower presented a memorial from sundry citizens of Ashe county on the subject of the traffic in ardent spirits, which on motion, was referred to the committee on propositions and grievances.

Mr. Graham presented a memorial from sundry citizens of the town of Hillsborough, &c., praying for the incorporation of a bank in said town, which on motion, was referred to the committee on banking.

Also a memorial in relation to the traffic in ardent spirits, which on motion was referred to the committee on propositions and grievances.

Also a memorial to amend the law granting licenses to retail spirituous liquors, so far as relates to the town of Hillsborough, which on motion was referred to the committee on the judiciary.

Mr. Bower introduced a bill, accompanied by a memorial, to establish and lay off a public road in the county of Ashe, which was read the first time and passed.

Also a memorial asking aid from the State to improve the State road from Readie's river to the Tennessee line, which on motion, was referred to the committee on internal improvements.

Mr. Wood introduced a bill to incorporate the Newbern Mutual Fire Insurance Company; which was read the first time and passed, and on motion, referred to the committee on corporations.

Mr. Walker, a bill to emancipate Creecy, a slave; which was read the first time and passed, and on motion, referred to the

committee on propositions and grievances.

Mr. Boyd, a bill to provide for a uniform and equitable valuation of the lands within this State, and that the taxes be listed, levied and collected in the same year, and a perfect enlistment of the same; which was read the first time and passed, and on motion, referred to the committee on finance, and ordered to be printed.

The bill concerning criminal proceedings was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill concerning divorce and alimony;

The bill concerning draining and damming low lands;

The bill concerning electors of President and Vice President;

The bill concerning estates;

The bill concerning evidence; and

The bill concerning executions; were severally read the second time and passed.

The bill concerning entries and grants, was read the second time, and on motion of Mr. Thomas of Jackson, ordered to be laid on the table.

The bill concerning executors and administrators, was read the second time and passed.

A message was received from the House of Commons, announcing that they are now ready to receive the Senators in their Hall, for the inauguration of the Governor elect.

The members of the Senate then repaired to the hall of the House of Commons, and after the ceremony of maugurating his Excellency, Thomas Bragg, as Governor of the State, was concluded, they returned to the Senate chamber, and were called to order by the Speaker.

Received a message from the House of Commons, transmitting the resignation of John Furr, a justice of the peace of Stanly county; which was read and concurred in.

Also a message, proposing to raise a joint select committee of

five on the part of the House, and three on the part of the Senate, to take into consideration the state of the public buildings, and report thereon.

The proposition was concurred in, and the House of Commons informed that Messrs. Wilder, Morisey and Sanders, constitute the Senate's branch of the committee on the subject.

The bill concerning crimes and punishments, was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill concerning deeds and conveyances, was read the second time and passed.

On motion of Mr. Biggs, the rules were suspended, and the bill concerning draining and damming low lands; the bill concerning electors of President and Vice President; and the bill concerning estates, were severally read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

On motion by Mr. Morisey, the Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, JANUARY 2, 1855.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills and resolutions, in which it asks the concurrence of the House, viz:

A bill concerning elections of Presidents and Vice Presidents;

A bill concerning draining and damning low lands;

A bill concerning estates;

A bill concerning criminal proceedings;

A bill concerning crimes and punishments;

A Bill to authorise the Raleigh and Gaston Railroad Company, to take stock in the Roanoke Valley Railroad Company;

A bill to extend the time of registration of grants &c;

A bill to authorise W. S. Ballinger and others to construct a dam across Neuse river in Johnston county;

A bill to incorporate the town of Roxboro' in Person county;

A bill to amend the 7th section, chapter 17th, Revised Statutes, entitled cattle, horses and hogs;

A bill to amend an act, entitled an act, to incorporate the trustees of Davidson College, passed in 1838-'9; and,

A resolution to procure documentary evidence of the History of North Carolina.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning Fairs, which was read the first time, and passed.

The bill concerning evidence;

The bill concerning divorce and alimony;

The bill concerning executions;

The bill concerning deeds and conveyances; and,

The bill concerning executors and administrators; were severally read the third time; passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning Fairs, under a suspension of the rules, was read the second and third time; passed, and ordered to be engrossed.

The vote by which the bill concerning criminal proceedings, was passed on yesterday; on motion by Mr. Biggs, was reconsidered, and the bill amended, passed the third time, as amended, and ordered to be engrossed under the 7th joint rule.

On motion by Mr. Bower,

Resolved, That a select committee of five be appointed to enquire into an alledged mistake, or fraud in enrolling the act of the last session of the General Assembly, in relation to the 44th and 46th senatorial districts; and into the expediency of correcting any error therein, and that the committee have power to send for persons and papers, and to examine persons on oath.

Mr. Mitchell introduced a bill, accompanied by a memorial, to emancipate Martha, Calvin and others; which bill was read the first time, and passed; and by motion, referred to the committee on propositions and grievances.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning Governor and Council;

A bill concerning forcible entry and detainer;

A bill concerning gaming contracts;

A bill concerning fences; and,

A bill concerning habeas corpus; which said bills were severally read the first time, and passed.

A message was received from the House of Commons, proposing to set apart Saturday evening next, 3 o'clock, for the appointment of justices of the peace &c.

Concurred in, and the House of Commons informed thereof by message.

Received a message from the House of Commons, informing that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate, viz:

A resolution in favor of William H. High, sheriff of Wake county; which was read the first time, passed, and referred to the committee on claims.

A resolution in favor of Henry Nutt; which was read the first time, passed, and referred to the committee on claims.

A resolution in favor of Jasper Tinnin; which was read the first time, and passed, and the rules being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

A bill concerning public roads in the county of Watauga; which was read the first time, and passed.

A bill declaring what number of the justices of the peace of the counties of Randolph, Alamance and Cumberland, shall constitute a quorum in certain cases; which was read the first time, and passed.

On motion, the rules were suspended, and said bill read the second and third time; amended, on the several motions of Messrs. Wilder and Walker, by extending its provisions to the counties of Wake and Mecklenburg; passed its third reading as amended, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

A bill empowering the county court of Yadkin, to appoint superintendents of common schools &c; which was read the first time, passed, and referred to the committee on education and the literary fund.

A bill to prevent the felling and putting timbers in Haw river, and the Great Alamance river in the county of Alamance; which was read the first time, and passed.

A bill to pay the wardens of the poor in the counties of Alamance and Duplin; which was read the first time, and passed.

A bill to encourage the killing of wolves in Jackson county;

which was read the first time, passed, and referred to the committee on propositions and grievances.

A bill concerning Haw river in Alamance county; which was read the first time, passed, and referred to the committee on propositions and grievances.

A bill to authorise the county court of Henderson, to sell and convey lands owned by the county, which was read the first time, passed, and referred to the committee on the judiciary.

A bill to incorporate the Wilmington Steam Tug Company, which was read the first time, passed, and referred to the committee on corporations.

A bill for the better regulation of the town of Franklinsville, in the county of Randolph, which was read the first time, passed, and referred to the committee on corporations, and

A bill to amend the several acts chartering the Asheville and Greenville Plankroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

Received a message from the House of Commons, transmitting a communication from the late Governor, relative to the public buildings, which wes read, and referred to the committee on public buildings.

Also, a message informing that the House branch of the committee on enrolled bills for the present week, consists of Messrs. Shepherd, Phillips, Bullock, Vance and White of Gaston.

And that the House branch of the select committee on public buildings, consists of Messrs. Whitlock, Mebane, Lyon, Cook and Hill.

The bill to incorporate Glen Anna Female Seminary, in the county of Davidson, was read the third time, passed, and ordered to be engrossed.

A message was received from the House of Commons, informing that the House has passed the following engrossed bills, in which, it asks the concurrence of the Senate, viz:

A bill to amend an act of the session of 1852, entitled an act concerning the place of trial for civil process before justices of the peace, which was read the first time, and passed; and the rules being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

A bill to appoint commissioners to view and lay off a public

road in Rowan county, from Salisbury to the junction of the Statesville and Wilkesboro' road, which was read the first time, and passed.

A bill to provide for the improvement of the road leading from the Wilkes county line, by way of Meat Camp creek, to the Tennessee line, at or near Welsh's Store, which was read the first time, and passed, and referred to the committee on internal improvements, and

A bill to incorporate the town of Newton, in the county of Catawba; which was read the first time, passed, and referred to the committee on corporations.

The bill to incorporate the Gardner Hill Mining Company, was read the second time, the amendment reported by the committee agreed to, and the bill passed its second reading, as amended.

The bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company, was read the second time, the amendments reported by the committee agreed to, and the bill passed its second reading, as amended.

Received a message from the House of Commons, transmitting a communication from the late Governor, accompanied by the annual report of the board of internal improvements.

On motion, the report was referred to the committee on internal improvements, and ordered to be printed.

The bill to establish and lay off a public road in the county of Ashe, was read the second time and passed, (the rules being suspended,) said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Biggs, the rules were suspended, and the following bills read the second and third time, passed, and ordered to be engrossed, under the 7th joint rule, viz:

The bill concerning fences;

The bill concerning forcible entry and detainer;

The bill concerning gaming contracts;

The bill concerning habeas corpus; and

The bill concerning Governor and council.

On motion by Mr. Christian, the bill concerning the Fayetteville and Centre Plankroad Company was now taken up, and made the special order of the day for the 6th day of January next. Mr. Ashe presented a memorial in relation to the traffic in ardent spirits; which was referred to the committee on propositions and grievances.

On motion by Mr. Walker, the Senate now adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 3, 1855.

A message was sent to the House of Commons, announcing that the Senate has passed the following engrossed bills, in which it asks the concurrence of the House, viz:

A bill concerning Governor and council;

A bill concerning habeas corpus;

A bill concerning gaming contracts;

A bill concerning forcible entry and detainer;

A bill concerning fences;

A bill concerning evidence;

A bill concerning divorce and alimony;

A bill concerning executions;

A bill concerning deeds and conveyances;

A bill concerning executors and administrators; and

A bill concerning Fairs.

Mr. Herring presented a memorial from sundry citizens of Duplin county, praying for authority to raise funds by lottery to complete certain works of internal improvements, which was referred to the committee on internal improvements.

The Speaker announced that Messrs. Boyd, Graham, Biggs, Ashe and Fisher, constitute the select committee on Mr. Bower's resolution of yesterday.

Mr. Eaton, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning guardian and ward;

A bill concerning husband and wife;

A bill concerning idiots and lunatics;

A bill concerning infamous persons; and

A bill concerning inspections;

Which said bills were severally read the first time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to encourage the killing

of wolves in Jackson county, reported the same back to the Senate and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to emancipate Martha, Calvin, and others, reported the same back to the Senate and recommended its rejection.

Mr. Boyd, from the same committee, to whom was referred a petition to emancipate Handy, Polly, and Louisa, reported adversely on the same.

Mr. Boyd, from the same committee, to whom was referred the bill to emancipate James G. Hostler, a slave, reported the same back to the Senate and recommended its passage.

A message was received from the House of Commons transmitting a report from the directors of the deaf, dumb, and blind institute, &c., with a proposition to print the same. Concurred in.

Received a message from the House of Commons transmitting the resignation of D. D. Campbell, a justice of the peace of Columbus county, which was read and accepted.

The same message stated that Mr. Whitlock is excused from serving on the committee on public buildings, and Mr. Rand appointed in his place.

Mr. Mitchell introduced a bill to incorporate the trustees of New Institute, in Iredell county, which was read the first time, passed, and by motion of Mr. Cunningham, referred to the committee on education and the literary fund.

Also a bill to incorporate the town of New Institute in the county of Iredell, which was read the first time and passed.

Mr. Wilder introduced a resolution in favor of Wm. Thompson, which was read the first time and passed, and referred to the committee on claims.

The bill to incorporate the Gardner Hill Mining Company was read the third time, passed, and ordered to be engrossed.

Mr. Hoke introduced a bill in relation to prosecution bonds, which was read the first time, passed, and referred to the committee on the judiciary.

The bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company was read the third time, passed, and ordered to be engrossed.

The engrossed bill to pay the wardens of the poor in the coun-

ties of Alamance and Duplin was read the second time and passed; the rules being suspended said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to prevent the felling and putting timber in Haw river and the Great Alamance river, in the county of Alamance, was read the second time, and by motion, referred to the committee on the judiciary.

The engrossed bill concerning public roads in the county of Watauga, was read the second time, and passed; under a suspension of the rules, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to appoint commissioners to view and lay off a public road in Rowan county, was read the second time, and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The rules being suspended, the following bills were read the second and third time, passed, and ordered to be engrossed, under the 7th joint rule, viz:

The bill concerning inspections;

The bill concerning guardian and ward;

The bill concerning husband and wife; and

The bill concerning infamous persons.

On motion by Mr. Cunningham,

Resolved, That the committee on the Revised Statutes, be instructed to enquire into the expediency of amending the common school law, by providing that, if after the purchase or condemnation of land for school purposes, the school committee see fit to remove the school, then the original owner of the land, or his vendee, shall have the right to take the land at the original price, with the privilege to the committee of removing the building or other improvements.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill, and recommended its passage, viz:

A bill concerning the General Assembly, which was read the first time, and passed.

On motion, the rules were suspended, and said bill read the second time, and passed.

On motion by Mr. Bower,

Ordered, That the bill be laid upon the table.

Mr. Gilmer introduced a bill to incorporate the Greensborough Mining and Manufacturing Company, which was read the first time, and passed.

On motion by Mr. Mitchell, the Senate now took up for consideration, the bill to emancipate Martha and others; the bill was read the second time, and the question, Shall the bill pass its second reading? was determined in the negative; yeas 3, nays 32.

Mr. Eborn demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Gilmer, Mitchell and N. Winslow-3.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Christian, Coleman, Collins, Cunningham, Davis, Eaton, Eborn, Faison, Fennell, Freeman, Graham, Graves, Herring, Hoke, Jones, McDowell, Martin, Morisey, Oldfield, Sanders, Speight, Taylor, Thomas of Davidson, Wilder, Wiggins, Willey and Wood—32.

The engrossed bill to encourage the killing of wolves in Jackson county was read the second time and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

On motion by Mr. Bower the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 4, 1855.

A message was sent to the House of Commons announcing that the Senate has passed the following engrossed bills, in which it asks the concurrence of that body, viz:

A bill concerning inspections;

A bill concerning infamous persons;

A bill concerning husband and wife; and

A bill concerning guardian and ward.

Mr. Fennell, from the committee on corporations, to whom was referred the bill to incorporate the town of Newton, in the county of Catawba, reported the same back to the Senate and recommended its passage.

Mr. Fennell presented a memorial on the subject of temperance, which was referred to the committee on propositions and grievances.

Mr. Boyd, from the committee on propositions and grievances,

to whom was referred the bill to emancipate Crecy, a slave, reported the same back to the Senate and recommended its rejection.

On motion by Mr. Eaton, leave of absence was granted to the Senator from Duplin, from and after to-day until Wednesday next.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Wilmington Steam Tug Company, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Gillis Copper Mining Company, reported the same back to the Senate and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, to wit:

A bill concerning internal improvements;

A bill concerning names;

A bill concerning mad dogs;

A bill concerning limitations;

A bill concerning landlord and tenant;

A bill concerning justices of the peace;

A bill concerning mines;

A bill concerning oysters and fish;

A bill concerning overseers;

A bill concerning officers;

A bill concerning oaths;

A bill concerning members of Congress;

A bill concerning militia; and

A bill concerning notaries; which were severally read the first time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill concerning Haw river, in Alamance county, reported the same back to the Senate, and recommended its passage.

Mr. Martin presented the resignation of James Rierson, a justice of the peace for Stokes county; which was read and accepted, and sent to the House of Commons.

Received a message from the House of Commons, transmitting the resignation of sundry justices of the peace; which were read and accepted.

Mr. Mitchell introduced a bill to appoint commissioners to survey and alter the road from Wilkesboro' to Lenoir, in Caldwell county; which was read the first time and passed; under a suspension of the rules, said bill was read the second and third time and passed, and ordered to be engrossed.

The bill to make indictable certain offences, was read the second time and rejected.

Mr. Tayloe introduced a bill to incorporate the Pamlico and Albemarle Insurance Company; which was read the first time and passed, and referred to the committee on corporations.

The bill to incorporate New Institute in the county of Iredell, was read the second time, amended and passed. On motion by Mr. Mitchell, the rules were suspended, and said bill read the third time, passed, and ordered to be engrossed.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning frauds and fraudulent conveyances; and

A bill concerning legacies; which were read the first time and passed; the rules being suspended, said bills were read the second and third time, passed, and ordered to be engrossed, under the 7th joint rule.

The engrossed bill to incorporate the Wilmington Steam Tug Company;

The engrossed bill concerning Haw river in Alamance county; and

The engrossed bill to incorporate the town of Newton in Catawba county, under a suspension of the rules, were severally read the second and third time, passed, and ordered to be enrolled.

The bill to incorporate the Gillis Copper Mining Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Cuningham,

Resolved, That the joint select committee on military affairs, be instructed to enquire into the expediency of abolishing the

militia laws, so far as they relate to the training and mustering of the militia, and of making provision simply for the enrollment of those now liable to muster, and that they report by bill or otherwise.

Received a message from the House of Commons, announcing that they have passed the following engrossed bill and resolutions, in which they ask the concurrence of the Senate, viz:

A bill to authorize gates across the public road in Green River Cove, in Henderson county; which was read the first time and passed, and referred to the committee on propositions and grievances.

A resolution in favor of Darling Rushing, late sheriff of Union county, which was read the first time, passed, and referred to the committee on propositions and grievances.

A resolution in favor of Robert Martin, of Cherokee county, which was read the first time, passed, and referred to the committee on propositions and grievances.

A resolution in favor of E. D. Davis;

A resolution in favor of S. W. Chadwick; and,

A resolution in favor of Thomas I. Judkins, which were severally read the first time, passed, and referred to the committee on claims.

The engrossed bill to regulate the floating of timber on the Roanoke river, was read the second time.

The first amendment reported by the committee was read, and agreed to.

The second amendment, proposing to strike out the last section of the bill, which provides that said bill shall be in force from and after its ratification, being read,

Mr. Biggs moved to amend the bill, by providing that the same shall be in operation from and after thirty days from its ratification, which amendment was agreed to; and the question being taken on striking out the last section of the bill, as recommended by the committee, the same was disagreed to.

So the bill passed its second reading as amended.

Received a message from the House of Commons, concurring in the amendment of the Senate, to the engrossed bill declaring what number of justices of the peace, shall constitute a quorum for business in Alamance, &c; ordered that the bill be enrolled.

Received a message from the House of Commons, stating that they have passed the following engrossed bill with an amendment, in which they ask the concurrence of the Senate, viz:

A bill to authorise the court of pleas and quarter sessions of Craven, Nash, &c., to pay wardens of the poor.

The amendment was agreed to, and a message sent to the House of Commons, informing thereof.

The bill concerning mad dogs;

The bill concerning members of Congress;

The bill concerning landlord and tenant;

The bill concerning names;

The bill concerning mines;

The bill concerning overseers;

The bill concerning officers;

The bill concerning oysters and fish; and,

The bill concerning notaries,

Under suspension of the rules, were severally read the second and third time, passed, and ordered to be engrossed, under the 7th joint rule.

On motion by Mr. Cunningham,

The Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, JANUARY 5, 1855.

A message was sent to the House of Commons, announcing that the Senate had passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill concerning frauds, &c;

A bill concerning legacies;

A bill concerning names;

A bill concerning mines;

A bill concerning officers;

A bill concerning oysters;

A bill concerning notaries;

A bill concerning mad dogs;

A bill concerning members of Congress;

A bill concerning overseers; and,

A bill concerning landlord and tenant.

Mr. Fisher introduced a memorial from sundry citizens of Da-

vie county, concerning the navigation of the Yadkin river; which was referred to the committee on internal improvements.

Mr. Freeman, a memorial on the subject of temperance; which was referred to the committee on propositions and grivances.

Mr. Drake, from the committee on claims, to whom was referred the engrossed resolution in favor of William Thompson; and the engrossed resolution in favor of Saml. W. Chadwick, reported the same back to the Senate, and recommended their passage.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to amend the several acts, chartering the Ashville and Greenville Plankroad Company, reported the same back to the Senate, and recommended its passage.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the Salem and Clemmonsville Plankroad Company; reported the same back to the Senate, and recommended its passage.

Mr. Fisher, from the same committee, to whom was referred the engrossed bill to provide for the improvement of the road leading from the Wilkes county line, by way of Meat Camp creek, to the Tennessee line, at or near Welch's Store; reported the same back to the Senate, and recommended its passage.

Mr. Wilder introduced a bill to amend an act, entitled an act, to incorporate the Newse River Manufacturing Company, at the Great Falls of Neuse, in the county of Wake; which was read the first time, and passed; on motion the rules were suspended, and the bill read the second and third time; passed, and ordered to be engrossed.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Newbern Mutual Insurance Company, reported the same back to the Senate, and recommended its passage.

Mr. Hoke, from the committee on the judiciary, to whom was referred a memorial on the subject, reported a bill for the better regulation of the town of Hillsboro'; which was read the first time, and passed.

Mr. Fisher introduced a bill to incorporate the Scotch Ireland Lodge, No. 11, of Ancient York Masons; which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Graham, the Senate now took up for con-

sideration, the bill to incorporate the McIver Coal Mining Company; which was read the second time, amended and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning literary fund and common schools;

A bill concerning marriage;

A bill concerning slander of women;

A bill concerning money remaining in the hands of clerks, &c;

A bill concerning public documents;

A bill concerning public printing; and,

A bill concerning mills and millers; which said bills were severally read the first time, and passed; and by motion, the rules were suspended, and said bills read the second and third time, passed, and ordered to be engrossed under the 7th joint rule. Also,

A bill concerning strays;

A bill concerning wrecks;

A bill concerning official bonds;

A bill concerning pensions;

A bill concerning public arms;

A bill concerning pistols;

A bill concerning public library;

A bill concerning quarantine and health; and,

A bill concerning rivers and creeks; which said bills were severally read the first time, and passed.

Mr. Biggs, to whom was referred the resolution to inquire into the expediency of amending the school law, reported that the committee had made the said amendment.

A message was received from the House of Commons, asking the concurrence of the Senate in the following engrossed bills and resolutions, viz:

A bill to amend the act incorporating the town of Plymouth, which was read the first time and passed.

A bill to authorize the collection of arrearages of taxes in Jackson county, which was read the first time and passed, and referred to the committee on propositions and grievances.

A bill to amend an act passed at the session of 1850-'51, entitled an act for the better regulation of the town of Wilson, in

the county of Edgecombe, which was read the first time, passed, and referred to the committee on propositions and grievances.

A bill to amend the charter of the Western Plankroad Company, which was read the first time, passed, and referred to the committee on corporations.

A bill to prevent the ranging of cattle in Yancey county, which was read the first time, passed, and referred to the committee on the judiciary.

A bill to number the west regiment of Madison county, which was read the first time and passed; on motion the rules were suspended, and said bill read the second and third time, passed, and ordered to be enrolled.

A resolution in favor of Warren Winslow, which was read the first time and passed; and the rules being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

The resolution in favor of William Thompson, and

The resolution in favor of Samuel W. Chadwick, were severally read the second time and passed; the rules being suspended, said resolutions were read the third time, passed, and ordered to be enrolled.

The bill to amend the several acts chartering the Asheville and Greenville Plankroad Company was read the second time; and the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill to incorporate the Salem and Clemmonsville Plankroad Company, was read the second time and passed.

The bill to provide for the improvement of the road leading from the Wilkes county line, by way of Meat Camp Creek at or near Welch's store, was read the second time and passed.

A message was sent to the House of Commons informing that the Senate has passed the following engrossed bills, in which it asks the concurrence of that House, viz:

A bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company;

A bill to incorporate Glen Anna Female Seminary;

A bill to lay off and establish a public road in the county of Ashe;

A bill to incorporate the Garden Hill Mining Company; and

A bill to incorporate the McCulloch Copper and Gold Mining Company.

Mr. Mitchell introduced a bill to appoint commissioners to view and alter the public road between Wilkesborough and Trap Hill, in Wilkes county, which was read the first time and passed.

The hour of 12 o'clock having arrived the Speaker announced the special order, viz:

The bill to lay off and establish a new county by the name of Vernon; after debate, on motion by Mr. Hoke, the further consideration of the bill was postponed, and made the special order of the day for to-morrow 11 o'clock, A. M.

The bill to amend an act to define the duties and powers of plankroad companies was read the second time, the amendments reported by the committee agreed to, and the bill passed its second reading, as amended.

Received a message from the House of Commons, stating that the House has passed the engrossed bill concerning criminal proceedings, with the following amendments, viz:—strike out after the word "dead," in the 12th line of the 1st section, the words "or hath removed from the State," in which it asks the concurrence of the Senate; which said amendment was disagreed to, and the House of Commons informed thereof by message.

Received a message from the House of Commons, stating that the House had passed the engrossed bill to incorporate the Yadkin Plankroad Company, with sundry amendments, and asks the concurrence of the Senate therein.

On motion, the bill and amendments were referred to the committee on internal improvements.

The engrossed bill to regulate the floating of timber in the Roanoke river, was read the third time and passed, and a message sent to the House of Commons asking its concurrence in the Senate's amendment thereto.

Mr. Wilder introduced the following resolution, viz:

Resolved, That the sum of four thousand dollars is hereby appropriated to purchase furniture for the Governor's residence, and the improvement of the buildings and enclosures of the same, to be made under the direction of the Governor.

The resolution was read the first time, passed, and referred to the committee on public buildings. Mr. Drake presented the resignation of John W. Perry, a justice of the peace for the county of Nash; which was read and accepted, and sent to the House of Commons.

On motion of Mr. Wilder, the Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, JANUARY 6, 1855.

A message was sent to the House of Commons, announcing that the Senate has passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning literary fund and common schools;

A bill concerning marriages;

A bill concerning slander of women;

A bill concerning money remaining in the hands of clerks, &c.;

A bill concerning public documents;

A bill concerning public printing; and

A bill concerning mills and millers.

Mr. Drake, from the committee on claims, to whom was referred the engrossed resolution in favor of Thomas I. Judkins, late sheriff of the county of Warren, reported the same back to the Senate, and recommended its passage.

Mr. Drake from the same committee, to whom was referred the memorial of Betts, Pusey and Harlan, reported adversely on the same, and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Mills presented the petition of sundry citizens of Cleaveland and Gaston counties, to discontinue a public road, which was referred to the committee on propositions and grievances.

Mr. Biggs, from the joint select committee, to whom was referred a resolution on the subject, reported a joint resolution, to divide the State into eight judicial circuits; which, by motion, was made the order of the day for Monday next, at the hour of 11 o'clock.

Mr. Biggs, from the committee on propositions and grievances, to whom was referred the bill concerning the salaries of certain officers, reported the same back to the Senate, with amendments.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, to wit:

The bill to lay off and establish a new county by the name of

Vernon; and the question recurring on the passage of the bill on its second reading, it was determined in the negative; yeas 16, nays 24.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Bower, Boyd, Brogden, Christian, Coleman, Fisher, Gilmer, Graves, Hoke, Martin, Mills, Mitchell, Sanders, Thomas of Davidson, Walker and Wood—16.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Cherry, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Fonville, Freeman, Graham, Jones, Lane, McClees, Oldfield, Speight, Taylor, Tayloe, Wilder, Wiggins, Willey and N. Winslow—24.

So the bill was rejected.

On motion by Mr. Wilder, the committee on banking, was discharged from the further consideration of the bill to create a bank in the town of Wilmington.

Mr. Wilder, from the committee on banking, to whom was referred the memorials from the county of Orange, praying for the establishment of a bank in the town of Hillsboro', reported the same back to the Senate, and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Wilder, from the same committee, to whom was referred the bill to incorporate the bank of Greensboro', reported the same back to the Senate, and recommended that it do not pass.

Mr. Lane introduced a bill for the better regulation of the poor of the county of Randolph, which was read the first time, and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed resolution in favor of Darling Rushing, reported the same back to the Senate, and recommended its rejection.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Greensboro' and Martin's Lime Kiln Plankroad Company, reported the same back to the Senate, with amendments.

Mr. Gilmer presented a memorial from the citizens of Elizabeth City, in Pasquotank county, praying for the repeal of the 18th section of the act of last session, for the better regulation of that town, which was referred to the committee on propositions and grievances.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills, and recommended their passage, viz:

A bill concerning prisons;

A bill concerning patrol; and,

A bill concerning partition,

Which were severally read the first time, and passed.

Received a message from the House of Commons, transmitting the following engrossed bills and resolution, and asking the concurrence of the Senate therein, viz:

A resolution concerning a flag, which was read the first time, and passed; the rules being suspended, the resolution was read the second time, and passed.

A bill to incorporate two academies in Ashboro', which was read the first time, and passed, and referred to the committee on corporations.

A bill to incorporate the Alamance and Caswell Plankroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

A bill in favor of Wm. N. Brooks, &c., which was read the first time, passed, and referred to the committee on propositions and grievances.

A bill to amend the 7th section of an act, entitled an act to establish a bank in the town of Washington, in the county of Beaufort, which was read the first time, passed, and referred to the committee on banking.

A bill to incorporate the town of Lenoir, &c., which was read the first time, passed, and referred to the committee on corporations.

A bill appointing commissioners in Watauga and Yancey counties, to lay off a public road from the Tennessee line to the line of McDowell county; which was read the first time, passed, and referred to the committee on internal improvements;

A bill to provide for the better regulation of the town of Louisburg, &c; and,

A bill to incorporate a Mutual Insurance Fire Company in the town of Charlotte.

The bill to amend the act incorporating the town of Plymouth, was read the second time, and passed, and referred to the committee on finance.

Mr. Boyd, from the committee on finance, to whom was referred the bill to provide for a more uniform valuation of the lands in the State, and that the taxes be listed, levied and collected in the same year, &c; reported the same back to the Senate, and recommended its passage.

Ordered, That said bill be made the special order of the day for Tuesday next, at the hour of 11 o'clock.

The bill in relation to the town of Hillsboro'; and,

The bill to incorporate the Newbern Mutual Insurance Company, were severally read the second time, and passed.

The bill to appoint commissioners to view and alter the road from Wilkesboro' to Trap Hill, in Wilkes county; was read the second time, and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill concerning the Fayetteville and Centre Plankroad Company.

The Senate thereupon proceeded to the consideration of the said bill, and resolved itself into a committee of the whole, Mr. Boyd in the Chair; and after some time spent therein, the Speaker resumed the Chair, and the Chairman reported the said bill to the Senate, with the following amendment, viz:

Insert in section 5th, line 7th, after provided, "that said bonds shall not be sold for less than par," and recommended its passage.

The amendment was adopted, and the bill passed its second reading, as amended.

Mr. Speight moved to reconsider the vote; by which was rejected the bill to lay off and establish a new county by the name of Vernon.

On motion by Mr. Hoke, the motion to reconsider was laid on the table.

The bill concerning the salaries of certain officers, was read the second time.

The question being upon agreeing to the first amendment proposed by the committee, viz:

Strike out semi-annually, in the 5th line of the 1st section.

The same was agreed to.

The second amendment, proposing to strike out fifteen and insert twelve hundred and fifty dollars, as the salary of the comptroller, was also agreed to.

The third amendment, proposing to strike out all in relation to the Judges, was rejected.

The fourth amendment was also disagreed to.

Mr. Fisher moved further to amend the bill, so as to allow the Secretary of State a clerk, at a salary of five hundred dollars, which said amendment was rejected.

Mr. McClees, moved to amend the bill by inserting the following as an additional section, viz:

That the pay of the members of the present General Assembly be increased to \$4 per diem, in lieu of \$3; and that of Speaker to \$6, in lieu of \$4.

The question being taken on said amendment, it was decided in the negative; yeas 5, nays 39.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Cherry, Eborn, Graves, McClees, and Tayloe-5.

Those who voted in the negative are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Christian, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Haughton, Hoke, Jones, Lane, McDowell, Martin, Mills, Mitchell, Oldfield, Rayner, Sanders, Speight, Taylor, Thomas of Davidson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—39.

So the amendment was rejected.

Mr. Christian now moved to amend the bill by striking out all except so much of the same as relates to the public treasurer.

And the question recurring on the adoption of said amendment it was decided in the negative; yeas 18, nays 25.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Bower, Brogden, Christian, Collins, Cunningham, Drake, Eborn, Faison, Freeman, Jones, McClees, Martin, Oldfield, Sanders, Wilder, Wiggins, Willey, and Winslow of Pasquotank—18.

Those who voted in the negative are,

Messrs. Ashe, Biggs, Boyd, Cherry, Coleman, Davis, Eaton, Fennell, Fisher, Fonville, Gilmer, Graham, Graves, Haughton, Hoke, Lane, McDowell, Mills, Rayner, Speight, Tayloe, Thomas of Davidson, Walker, and Wood—25.

So the amendment was lost.

The question now recurring on the passage of the bill its second reading as amended, it was determined in the negative; yeas 20, nays 23.

Mr. Drake demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Biggs, Boyd, Coleman, Eaton, Fennell, Fisher, Gilmer, Graham, Graves, Haughton, Hoke, Lane, McDowell, Mills, Rayner, Speight, Taylor, Tayloe, Walker, and Wood—20.

Those who voted in the negative are,

Messrs. Ashe, Bower, Brogden, Cherry, Christian, Collins, Cunningham, Davis, Drake, Eborn, Faison, Fonville, Freeman, Jones, McClees, Martin, Oldfield, Sanders, Thomas of Davidson, Wilder, Wiggins, Willey, and N. Winslow—23.

So the bill was rejected.

Received a message from the House of Commons transmitting a memorial from the citizens of the town of Wilmington petitioning for aid to complete the Cape Fear and Deep river improvements, with a proposition to print the same.

Concurred in; and the House of Commons informed thereof by message.

On motion by Mr. Hoke the Senate adjourned until half past three o'clock, P. M.

Half past three o'clock.

Mr. Faison, who voted with the majority on the question rejecting the bill concerning the salaries of certain officers, moved that the Senate do now reconsider that vote. The question on this motion was decided in the affirmative, and on motion, said bill was made the special order of the day for Friday next, at the hour of 11 o'clock.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning ordinaries and inns, and

A bill concerning poor, which bills were read the first time and passed; and the rules being suspended, said bills were severally read the second and third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning public arms;

The bill concerning official bonds;

The bill concerning pensions;

The bill concerning public library;

The bill concerning rivers and creeks;

The bill concerning strays;

The bill concerning patrol; and

The bill concerning prisoners, were severally read the second time and passed; and the rules being suspended, said bills were severally read the third time, passed, and ordered to be engrossed under the 7th joint rule.

Mr. Thomas of Jackson, introduced a resolution in favor of Walter Gwynn; which was read the first time and passed.

Received a message from the House of Commons, informing that they have passed the engrossed resolution concerning the Cape Fear and Deep River Navigation Company, with an amendment, in which they ask the concurrence of the Senate.

On motion by Mr. McDowell,

Ordered, That the resolution and amendment be laid upon the table.

A message was sent to the House of Commons, announcing that the Senate have passed the following engrossed bills and resolution, and ask the concurrence of the House in the same, viz:

A bill to incorporate the McIver Coal Mining Company;

A bill to amend an act, entitled an act to incorporate the Neuse River Naviganon Company, at the Great Falls of Neuse river, in the county of Wake; and

A resolution in favor of William Thompson.

The Senate, in pursuance of the joint order heretofore made, now proceeded to the appointment of justices of the peace for the several counties in the State.

Several recommendations for justices of the peace were read and accepted, and ordered to be transmitted to the House of Commons.

Received a message from the House of Commons, transmit-

ting recommendations for justices of the peace for sundry counties; which were read and accepted.

Also a message from the House of Commons, informing that they had accepted the recommendation of certain persons as justices of the peace for the county of Pitt, and asking the concurrence of the Senate.

Mr. Eborn moved that said recommendations be laid on the table.

This question was decided in the negative, yeas 16, nays 19.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Davis, Eaton, Eborn, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Rayner, Thomas of Davidson, Willey and Winslow of Pasquotank—16.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Coleman, Collins, Cunningham, Drake, Faison, Fennell, Fisher, Fonville, Graves, Jones, McDowell, Martin, Mills, Oldfield, Speight and Walker—19.

The question on concurring in the recommendations of the House was now taken up, and determined in the affirmative; yeas 18, nays 16.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Coleman, Collins, Cunningham, Drake, Faison, Fennell, Fisher, Fonville, Graves, Jones, Martin, Mills, Oldfield, Speight and Walker—18.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Davis, Eaton, Eborn, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Rayner, Thomas of Davidson, Willey and Winslow of Pasquotank—16.

On motion by Mr. Davis, the Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 8, 1855.

The Speaker announced that the Senate's branch of the committee on enrolled bills for the present week, consists of Messrs. Haughton, Brogden and Oldfield.

Mr. Fonville introduced a resolution concerning white persons congregating with negroes at night, eating, drinking and dancing,

which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Drake introduced a bill to amend the charter of the town of Nashville, which was read the first time, and passed.

The engrossed bill to provide for the better government of the town of Louisburg, in Franklin county; and,

The engrossed bill to incorporate the Mutual Insurance Fire Company, in the town of Charlotte, were severally read the first time, and passed, and the last mentioned bill referred to the committee on corporations.

The hour of 11 o'clock having now arrived, the Speaker announced the special order of the day, viz:

The joint resolution to divide the State into eight judicial circuits; the resolution being read, sundry amendments were proposed thereto.

Whereupon, by motion, the said resolution and amendments were laid upon the table, and ordered to be printed.

On motion by Mr. Biggs, said resolution and amendments, were made the special order of the day for Thursday next, at the hour of 11 o'clock.

A message was received from the House of Commons, informing that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to amend the charter of the town of Charlotte, which was read the first time, and passed.

A bill to incorporate the Little River Company; and,

A bill to incorporate the East Fork Turnpike Company.

The bill to incorporate the Howard's Gap Turnpike Company, was read the second time, amended, and passed.

The bill for the better regulation of the poor in the county of Randolph, was read the second time and passed.

The engrossed bill to incorporate two academies in the town of Ashboro', was read the second time, and passed.

The engrossed resolution in favor of Thos. I. Judkins, late sheriff of the county of Warren, was read the second time, and passed, and the rules being suspended, said resolution was read the third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of Darling Rushing, late sheriff of Union county, was read the second time, and rejected.

The bill to incorporate the Washington Savings Institute of Beaufort county, was read the third time, amended and passed.

Ordered, That said bill be engrossed.

Mr. Cherry introduced a bill to repeal an act of the General Assembly, passed at its session of 1848-9, chapter 143; which was read the first time, passed and referred to the committee on propositions and grievances.

Mr. Ashe introduced a bill to incorporate the Anson Institute;

which was read the first time, and passed.

The resolution in favor of Walter Gwynn was read the second time, and referred to the committee on claims.

The engrossed resolution concerning a flag, was read the third time, and on motion by Mr. Coleman, referred to a select committee of three.

Whereupon, Messrs. Coleman, Rayner and Ashe, were appointed said committee.

A message was sent to the House of Commons, announcing that the Senate had passed the following engrossed bills, (Revised Statutes,) in which they ask the concurrence of that body, viz:

A bill concerning poor;

A bill concerning public library;

A bill concerning ordinaries and inns;

A bill concerning prisoners;

A bill concerning patrol;

A bill concerning strays;

A bill concerning rivers and creeks;

A bill concerning public arms;

A bill concerning pensions; and,

A bill concerning official bonds.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to amend the constitution of the State of North Carolina—and the same being read the second time,

Mr. Ashe moved the following amendment as a substitute for the first section of the bill, viz:

"Every free white man of the age of twenty-one years, being a citizen of the United States, who has been an inhabitant of the State for twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to

vote for a member of the Senate for the district in which he resides."

Whereupon the Senate resolved itself into a committee of the whole, Mr Boyd in the chair, to take into consideration the said bill and amendment; and after some time spent therein, the Speaker resumed the chair, and the chairman reported said bill and amendment back to the Senate, and asked to be discharged from their further consideration. Discharged accordingly.

The question now recurred on the amendment of Mr. Ashe, whereupon, the same was withdrawn.

Mr. Haughton now moved to amend the bill by adding the following proviso to the first section of the same, viz:

"Provided, however, That no foreigner, unless he shall have paid public taxes, and shall have been naturalized according to the laws of the United States, now in force, or that may hereafter be passed in pursuance of the constitution of the United States, shall be allowed to vote either for a member of the Senate or House of Commons."

The question on which said amendment was determined in the affirmative; yeas 26, nays 23.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Clark, Cunningham, Davis, Eaton, Eborn, Fisher, Fonville, Freeman, Gilmer, Graham, Haughton, Hoke, Lane, McClees, Mitchell, Morisey, Rayner, Taylor, Thomas of Davidson, Wiggins, Willey, Winslow of Pasquotank and Wood—26.

Those who voted in the negative, are,

Messis. Speaker, Biggs, Bower, Boyd, Brogden, Coleman, Collins, Drake, Faison, Fennell, Graves, Herring, Jones, McDowell, Martin, Mills, Oldfield, Sanders, Speight, Tayloe, Thomas of Jackson, Walker and Wilder—23.

So the amendment was agreed to.

Mr. Thomas, of Jackson, moved that the Senate do now adjourn until 4 o'clock P. M.

Mr. Gilmer moved to amend the motion of Mr. Thomas, by striking out 4 o'clock P. M., and inserting to-morrow morning 10 o'clock; which amendment was lost; yeas 4, nays 44.

Mr. Thomas, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Gilmer, McDowell, Mitchell and Taylor-4.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, Martin, Mills, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Tayloe, J. W. Thomas, W. H. Thomas, Wilder, Wiggins, Willey, N. Winslow and Wood—44.

The question now recurred on the motion of Mr. Thomas of Jackson, that the Senate adjourn until 4 o'clock this evening.

And the question being taken thereon, it was determined in the negative; yeas 2, nays 42.

Those who voted in the affirmative, are,

Messrs. McDowell and Thomas of Jackson-2.

Those who voted in the negative, are,

Messrs. Ashe, Bower, Boyd, Brogden, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Haughton, Herring, Hoke, Jones, Lane, McClees, Martin, Mills, Mitchell, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Thomas of Davidson, Walker, Wilder, Wiggins, Willey and N. Winslow—42.

So the Senate refused to adjourn.

Mr. Gilmer now offered the following amendment, as an additional section to the bill, viz:

Be it further enacted, (three-fifths of the whole number of members of each House concurring,) That the third section of the fourth article of the amended constitution, ratified by the vote of the people, on the second Monday of November, A. D. 1835, be repealed, and that the following be inserted in its stead:

Taxation shall be equal and uniform throughout the State, and all property, other than slaves, shall be taxed in proportion to its value, which shall be ascertained in such manner as may be prescribed by law.

Every slave who has attained the age of twelve years, shall be assessed with a tax equal to, and not exceeding, that assessed on land of the value of three hundred dollars; slaves under that age,

shall not be subject to taxation, and other taxable property may be exempted from taxation, by the vote of a majority of the whole number of members elected to each House of the General Assembly.

A capitation tax, equal to the tax assessed on land of the value of three hundred dollars, shall be levied on every white male inhabitant, between the ages of twenty-one and forty-five years; but nothing herein contained, shall prevent exemptions of taxable polls, in cases of bodily infirmity, or prevent taxes on incomes, salaries and licences.

And the question being taken on said amendment, it was determined in the negative; yeas 11, nays 37.

Mr. Thomas, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Christian, Davis, Freeman, Gilmer, Graham, Haughton, Lane, Morisey, Rayner and Thomas of Davidson—11.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Cherry, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Tayloe, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—37.

So the amendment was lost.

The question now recurred on the passage of the bill its second reading as amended, and was determined in the affirmative, three-fifths of the whole number of Senators having voted in its favor.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Morisey, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder, and Wood—36.

Those who voted in the negative are,

Messrs. Cherry, Eaton, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Rayner, Tayloe, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank—14.

On motion by Mr. Boyd the bill was now taken up and made the special order of the day for Wednesday next, at 12 o'clock, M.

Received a message from the House of Commons announcing that their branch of the committee on enrolled bills for the present week consists of Messrs. Phillips, Yancey, Caldwell of Rowan, Meares, and Selby.

By the same message was also transmitted the resignation of John L. Goodwin, a justice of the peace, which was read and accepted.

On motion by Mr. McClees the Senate adjourned until tomorrow morning, 10 o'clock.

TUESDAY, JANUARY 9, 1855.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Western North Carolina Railroad Company, reported the same back to the Senate, with sundry amendments.

Ordered, That said bill be made the special order of the day for to-morrow, at the hour of 11 o'clock.

Mr. Fisher, from the same committee, to whom was referred the bill to charter the Fayetteville and Greensboro' Railroad Company, reported the same back to the Senate with amendments.

On motion, said bill was made the special order of the day for Thursday next, at the hour of 12 o'clock, M.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the Dan River and Yadkin Railroad Company, reported the same back to the Senate with amendments.

On motion, said bill was made the special order of the day for Monday next, at the hour of 11 o'clock.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial from the citizens of Elizabeth City and others, praying for the repeal of the 18th section of the act of last session, for the better regulation of said town, reported adversely thereon, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred the engrossed bill to authorise the collection of arrearages of taxes in

Jackson county, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to repeal an act of the General Assembly, passed at its session of 1848-'9, chapter 143, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred a resolution in favor of E. D. Davis of Jackson county, reported the same back to the Senate, and recommended its passage.

Mr. Clark from the committee on education and the literary fund, to whom was referred the resolution authorising a loan by the literary board to the Wesleyan Female College, reported the same back to the Senate, and recommended that it do not pass.

Mr. Clark, from the same committee, to whom was referred the resolution for the loan of money by the literary board, to the Clinton Female Institute in Sampson county, reported the same back to the Senate, and recommended that it do not pass.

Mr. Clark, from the same committee, to whom was referred the resolution to authorise the literary board to loan money to the Franklin Female Academy, in the county of Macon, reported the same back to the Senate, and recommended that it do not pass.

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill to authorise the county court of Henderson to sell and convey lands owned by the county, reported the same back to the Senate, and recommended its passage.

Mr. Hoke, from the same committee, to whom was referred the bill in relation to prosecution bonds, reported the same back to the Senate, and recommended that it do not pass.

Mr. Hoke, from the same committee, to whom was referred the engrossed bill to prevent the felling and putting timber in Haw river and the Great Alamance in the county of Alamance, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to authorise gates across the public road in Green River Cove in Henderson county, reported the same back to the Senate, and recommended its passage.

Mr. Wilder, from the committee on public buildings, to whom was referred the resolution in relation to the Governor's residence, reported a substitute for the same, and recommended its passage.

On motion, the Senate now proceeded to consider the same, and after debate,

Mr. Wilder moved that the same be recommitted to the committee on public buildings, with instructions to report a bill making an appropriation for the erection of a new building.

The motion prevailed; ayes 25, noes 20.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to provide for the more uniform valuation of the lands within this State, and that the taxes be listed, levied and collected in the same year, and to secure a perfect enlistment of the same.

The bill was read the second time.

Mr. Graham moved to amend the same by adding the following to the 14th section, viz:

"From which determination an appeal may be taken to the superior court, as in other cases of appeal."

The amendment was adopted.

Mr. Tayloe moved the following amendment, to be inserted after the 17th section, viz:

"Be it further enacted, That justices appointed as aforesaid, to assess the value of lands in the several districts, before returning their lists shall meet, and by comparing and conference, secure as nearly as they conveniently can, uniformity in their valuation."

The amendment was agreed to.

On motion by Mr. Graham,

Resolved, That the bill be recommitted to the committee on finance, with instructions to inquire whether it is not expedient to adopt a plan for ascertaining the valuation of land and return of taxables generally, analogous to that adopted by Congress in 1814-'15, adopting Senatorial districts instead of Congressional districts for the apportionment of assessors, and requiring the principal assessors to meet for the purpose of equalizing the valuation throughout the State.

Received a message from the House of Commons transmitting a report from the committee on finance on the revenue bill, proposing to print one copy of the same for each member of the Legislature.

The proposition was concurred in.

The hour of 12 o'clock having arrived, the Speaker announced the special order, to wit:

The bill to re-charter the Bank of Cape Fear.

The bill was read the second time.

Mr. Hoke moved the following amendment to the first section of the same, viz., after the word "January," in the eighth line of the printed bill, strike out "1880" and insert "1875."

The amendment was agreed to.

Mr. Faison now moved to amend the bill by striking out the second section of the same.

Mr. Graves moved to amend the second section by striking out the same and inserting the following in lieu thereof, viz:

"Be it further enacted, That there shall be added to the capital stock of said bank five thousand shares of \$100 each, and it shall be the duty of the president and directors forthwith to cause books to be opened to receive subscriptions for such additional shares, under such rules and regulations as the president and directors shall prescribe.

The amendment was adopted.

The question now recurring on the adoption of Mr. Faison's amendment, the same was rejected.

The amendment proposed by the committee, viz., strike out the 10th section, was carried.

Mr. Coleman moved to amend the 11th section of the bill so as to make it read as follows, viz:

"That in lieu of the tax now required to be annually paid by the said bank, there shall be paid by said bank to the treasurer of the State three cents on every dollar of dividends of profits declared upon the shares of the individual stockholders by said bank during each and every year."

The amendment was disagreed to.

The question now being on agreeing to the amendment proposed by the committee as a substitute for the 11th section, viz:

Sec. 11. Be it further enacted, That each share owned by individuals shall be subject to an annual tax of twenty-five cents, which shall be reserved out of the profits of individual stock as they accrue, by the cashier of the principal bank, and paid to the public treasurer, on or before the 1st day of October in each and every year; which tax may be increased at any time, not exceed-

ing fifty cents for each and every share, as the legislature may direct, and the exigency of the State require in equalizing taxation.

Mr. Graves moved to amend the amendment, by striking out twenty-five, and inserting thirty, in lieu thereof.

The amendment to the amendment was agreed to.

The question being now taken on the adoption of the amendment as amended, the same was decided in the affirmative.

Pending the consideration of the bill, on motion by Mr. Clark, the Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 10, 1855.

Mr. Wiggins introduced a bill, accompanied by a memorial, to authorise the building of a toll bridge over the Roanoke river, at the town of Halifax, and to incorporate a company for that purpose; which was read the first time, and passed, and with the memorial, referred to the committee on corporations.

Mr. Fisher, from the committee on internal improvements, to whom was referred the engrossed bill to incorporate the Yadkin Plankroad Company, reported the same back to the Senate, and recommended that the Senate concur in the amendment of the House of Commons.

The amendments were concurred in, and the House of Commons informed thereof by message.

Mr. Mills, from the committee on the Lunatic Asylum, reported a bill for completing, furnishing and enclosing the buildings and grounds of the Lunatic Asylum, which was read the first time, and passed.

Mr. Wilder, from the committee on public buildings, reported a resolution, authorising the purchase of furniture for the Executive mansion, which was read the first time, and passed; the rules being suspended,

The resolution was read the second and third time, passed and ordered to be engrossed.

On motion, Mr. Haughton was excused from serving on the committee on enrolled bills, and Mr. Morisey substituted in his place.

On motion by Mr. Boyd, the following resolution was read and adopted, viz:

WHEREAS, The opinion is entertained that the school law,

prohibiting the school committees from employing teachers, other than those who have a certificate of examination, has operated to increase their salaries to exhorbitant rates; for remedy whereof, be it,

Resolved, That the committee on education and the literary fund, be instructed to enquire into the expediency of so modifying the school law, as to permit the school committees to exercise a discretionary power to employ teachers of good moral character, whom they may believe competent to teach, although they may not have a certificate of examination.

Mr. Tayloe introduced a bill, establishing a lien on steam boats, ships, and all other vessels for recovery of debts against them, and directing the proceedings thereon, which was read the first time and passed; referred to the committee on the judiciary, and ordered to be printed.

Mr. Graham introduced a bill to establish a library of documents for each house of the General Assembly, which was read the first time and passed.

Mr. Speight introduced a bill to provide for the payment of jurors in the county of Greene, which was read the first time and passed.

Mr. Wood introduced a bill to confirm a grant of land to Elijah W. Piggot and his heirs, which was read the first time and passed.

Mr. Gilmer introduced a bill to incorporate Pleasant Hill Lodge of Ancient York Masons, in the county of Alamance, which was read the first time and passed and referred to the committee on corporations.

Mr. Haughton presented a memorial on the subject of temperance, which was referred to the committee on propositions and grievances.

Mr. Lane introduced a bill to limit the time of the chairmen of the board of superintendents of common schools, which was read the first time, passed, and referred to the committee on education and the literary fund.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, viz:

The bill to incorporate the Western North Carolina Railroad Company.

On motion by Mr. Fisher the consideration of the same was postponed, and the bill made the special order of the day for Friday next, at the hour of 12 o'clock, M.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the resolution to inquire into the expediency of amending the law respecting roads, ferries, and bridges, reported the same back to the Senate and asked to be discharged from further consideration of the subject. Discharged accordingly.

Mr. Biggs, from the same committee, reported the following bills, and recommended their passage, viz:

A bill concerning processioning;

A bill concerning seamen;

A bill concerning public debt;

A bill concerning quo warranto and mandamus;

A bill concerning religious societies;

A bill concerning replevin; and

A bill concerning registers, which said bills were severally read the first time and passed.

The Senate now proceeded to the consideration of the engrossed bill to amend an act entitled an act to define the duties and powers of turnpike and plankroad companies, which on motion by Mr. Biggs, was ordered to be laid on the table.

The engrossed bill to provide for the improvement of the road leading from the Wilkes county line, by way of Meat Camp creek to the Tennessee line, at or near Welch's Store, was read the third time and passed; yeas 38, nays 5.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Ashe, Biggs, Bower, Boyd, Cherry, Christian, Coleman, Collins, Davis, Drake, Eaton, Faison, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, McDowell, Mills, Mitchell, Morisey, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Winslow of Pasquotank, and Wood—38.

Those who voted in the negative are,

Messrs. Cunningham, Eborn, Martin, Wiggins, and Willey -5.

Ordered, That said bill be enrolled.

The bill to incorporate the Salem and Clemmonsville Plankroad Company, was read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, imforming that they have passed the following engrossed resolution and bills, and asking the concurrence of the Senate in the same, viz:

A resolution in relation to public treasurer;

A bill to incorporate the Chapel Hill and Morrisville Plankroad &c. Company;

A bill to enable the wardens of the poor of Pasquotank and Yancy counties to sell a portion of the poor house land;

A bill to amend an act, entitled an act to prevent the obstruction of the passage of fish in the waters of Blount's creek, &c.;

A bill to extend the time for perfecting titles to lands heretofore entered;

A bill to incorporate the Yadkin Institute, in the county of Davidson; and

A bill to amend the statute concerning widows.

The hour of 12 o'clock having arrived, the Speaker announced the special order of the day, viz:

The bill to incorporate a company to construct a Ship Canal to connect the waters of Albemarle, Currituck and Pamlico Sounds with the Chesapeake Bay, and for other purposes; the bill was read the second time.

On motion by Mr. Cherry, the blanks in the 2nd section of the bill were filled by inserting the names of the commissioners in the first part of the same, and the word five, in the thirty-fifth line of the printed bill.

Mr. Biggs moved to amend the 3rd section, by adding, after "Company," in the third line, "provided a majority of the directors shall be resident citizens of North Carolina," and to add, after the word "and" following the word "Company," "The Company." The amendments were agreed to.

Mr. Biggs now moved to strike out the 4th section of the bill.

Mr. Cherry moved to amend the 4th section, by filling the blank in the third line of the same with the word "fifty," and the blank which occurs in the sixth line, with the word "thirty." The amendments were carried.

The question now recurring on Mr. Biggs' motion to strike out

the said 4th section, it was determined in the negative; yeas 12, nays 36.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messis. Biggs, Bower, Brogden, Cunningham, Drake, Eaton, Herring, Mitchell, Morisey, Oldfield, Person, and Wiggins—12.

Those who voted in the negative, are,

Messrs. Ashe, Boyd, Cherry, Christian, Clark, Coleman, Collins, Davis, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Jones, Lane, McClees, McDowell, Martin, Mills, Rayner, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Walker, Wilder, Willey, Winslow of Pasquotank, and Wood—36.

So the Senate refused to strike out.

On motion by Mr. Cherry, further amendments were made to the 7th and 10th sections of the bill.

And the question now recurring on the passage of the bill on its second reading as amended, it was determined in the affirmative; yeas 43, nays 3.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Cherry, Christian, Coleman, Cunningham, Davis, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, McDowell, Mills, Mitchell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank and Wood—43.

Those who voted in the negative, are,

Messrs. Brogden, Eaton, and Martin-3.

A message was sent to the House of Commons, informing that the Senate had passed the following engrossed bills and resolutions, and asking the concurrence of the House therein, viz:

A bill to incorporate the Washington Saving's Institute in Beaufort county.

A bill to appoint commissioners to view and alter the public road between Wilkesboro' and Trap Hill in Wilkes county; and

A resolution authorising the purchase of furniture for the Executive mansion.

On motion,

The Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 11, 1855.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate a plankroad from Mocksville to Wilkesboro', &c., reported the same back to the Senate, and recommended its passage.

Mr. Fisher, from the same committee, to whom was referred the bill to increase the capital stock of the Fayetteville and Western Plankroad Company, reported the same back to the Senate with amendments.

Mr. Fisher, from the same committee, to whom was referred the bill to authorise the Cape Fear and Deep River Navigation Company to issue bonds and for other purposes, made a detailed report thereon; which was ordered to be printed, and the bill made the special order of the day for Saturday next, at the hour of 12 o'clock.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the bill concerning sheriffs' fees in certain cases, reported that the same had been provided for in the Revised Statutes; when on his motion, the said bill was ordered to be laid on the table.

Mr. Biggs, from the same committee, reported the following bills, and recommended their passage, viz:

A bill concerning roads, ferries and bridges;

A bill concerning seat of government;

A bill concerning waste;

A bill concerning vice and immorality;

A bill concerning surety and principal;

A bill concerning secretary of State; and,

A bill concerning sheriffs, which said bills were severally read the first time, and passed.

The engrossed bill to extend the time for perfecting titles to lands heretofore entered, was read the first time and passed, and the rules being suspended, the said bill was read the second and third time, and ordered to be enrolled.

The engrossed resolution in relation to the public treasurer, was read the first time, and passed.

The rules being suspended, the said resolution was read the second time.

When, on motion by Mr. Graham, the further consideration of the same was postponed until to-morrow.

Received a message from the House of Commons, informing that they had passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to incorporate the Chatham Railroad Company;

A bill to amend an act passed at the General Assembly in 1846-47, entitled an act to incorporate the town of Statesville, and

A bill to authorise the erection of a court house for the county of Iredell, and other purposes.

Mr. Gilmer presented a memorial from Samuel Edwards and others, claiming bounty land or a reasonable compensation in lieu thereof, on account of the revolutionary services of their fathers, which was referred to the committee on the judiciary.

Mr. Oldfield introduced a bill to incorporate Cypress Creek Academy, in Jones county, which was read the first time, passed, and referred to the committee on corporations.

Mr. Wood a bill for the better protection of religious assemblies and societies, which was read the first time, passed, and referred to the committee on the judiciary.

The engrossed bill to amend the statute concerning widows was read the first time, passed, and referred to the committee on the Revised Statutes.

The engrossed bill to enable the wardens of the poor in the counties of Pasquotank and Yancey to sell a portion of the poor house lands was read the first time and passed.

The engrossed bill to authorize the erection of a court-house for the county of Iredell and for other purposes, was read the first time and passed; the rules being suspended, said bill was read the second and third time, amended on motion by Mr. Mitchell, and passed as amended.

Whereupon a message was sent to the House of Commons asking their concurrence in the Senate's amendment.

The engrossed bill to incorporate the Yadkin Institute, in the county of Davidson, was read the first time and passed.

The engrossed bill to incorporate the Chapel Hill and Morrisville Plankroad, Tramroad, and Turnpike Company, was read

the first time, passed, and referred to the committee on corpora-

The engrossed bill to amend an act entitled an act to prevent the obstruction of the passage of fish in the waters of Blount's creek and its tributary stream, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to incorporate two academies in the town of Ashborough was read the third time, passed, and ordered to be enrolled.

The bill concerning the Fayetteville and Centre Plankroad Company was read the third time, amended, passed as amended, and ordered to be engrossed.

The bill for the better regulation of the town of Hillsborough was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Howard's Gap Turnpike Company was read the third time, passed, and ordered to be engrossed.

The bill for the better regulation of the poor of the county of Randolph was read the third time, passed, and ordered to be engrossed.

The bill to emancipate James G. Hostler, a slave, was read the second time.

Mr. Wiggins moved the following amendment, viz:

"Provided, nevertheless, That he shall not change his residence to any other county in the State, without first obtaining permission from the county court of the county to which he wishes to remove."

And the question being taken on said amendment, it was rejected; ayes 17, nays 30.

Mr. Wiggins demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Cherry, Clark, Cunningham, Drake, Faison, Fonville, Graves, Jones, McDowell, Morisey, Oldfield, Person, Sanders, Taylor, Wiggins and Willey—17.

Those who voted in the negative, are,

Messrs. Ashe, Bower, Boyd, Brogden, Christian, Coleman, Collins, Davis, Eaton, Eborn, Fennell, Fisher, Freeman, Gilmer, Graham, Haughton, Herring, Hoke, Lane, Martin, Mills, Mitchell, Speight, Tayloe, Thomas of Davidson, Thomas of

Jackson, Walker, Wilder, Winslow of Pasquotank and Wood —30.

The question now recurring on the passage of the bill on its second reading, the same was determined in the affirmative.

The Senate now proceeded to the considration of the bill to amend the constitution of the State of North Carolina.

On motion by Mr. McDowell, the said bill was referred to a select committee of three, consisting of Messrs. McDowell, Boyd and Cunningham, with instructions to report back the same to the Senate in proper form, without changing the substance of the bill.

The hour of 12 o'clock having now arrived, the Speaker announced the special order of the day, viz :—" The joint resolutions to divide the State into eight judicial circuits."

Mr. Haughton moved to strike out the first paragraph of the same, and substitute therefor, as follows, viz:

"A bill to divide the State into eight judicial circuits."

"Be it enacted, &c., That the State shall be divided into eight judicial circuits, as follows:"

The amendment was agreed to.

The bill was then read the first time and passed.

On motion, the rules were suspended, and the bill read the second time.

Whereupon, Mr. Martin moved that the same be indefinitely postponed.

Which motion was lost; yeas 18, nays 30.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Cunningham, Eborn, Fonville, Herring, Lane, McClees, Martin, Morisey, Oldfield, Rayner, Taylor, Tayloe, Thomas of Davidson, Wilder, Wiggins, Willey and Winslow of Pasquotank—18.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Christian, Clark, Coleman, Collins, Davis, Drake, Eaton, Faison, Fennell, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Jones, McDowell, Mills, Mitchell, Person, Sanders, Speight, Thomas of Jackson, Walker and Wood—30.

Mr. Haughton now moved to strike out *eight*, and insert *nine*, as a further amendment to the bill.

The question being taken on agreeing to said amendment, it was determined in the negative; yeas 6, nays 40.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Coleman, Gilmer, Haughton, McClees, McDowell and Morisey—6.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Fonville, Freeman, Graham, Graves, Herring, Hoke, Jones, Lane, Martin, Mitchell, Oldfield, Person, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—40.

The bill then passed its second reading.

On motion by Mr. Hoke, the vote by which the bill passed its second reading, was reconsidered.

Whereupon, Mr. Walker moved to amend the bill by striking out the 4th, 5th and 6th paragraphs of the 1st section, and inserting as follows, viz:

6th. Rowan, on the 1st Monday in March and September.

Stanly, on the 2nd Monday in March and September.

Anson, on the 3rd Monday in March and September. Union, on the 4th Monday in March and September.

Cabarrus, on the 1st Monday after the 4th Monday in March and September.

Mecklenburg, on the 2nd Monday after the 4th Monday in March and September.

Gaston, on the 3rd Monday after the 4th Monday in March and September.

Lincoln, on the 4th Monday after the 4th Monday in March and September.

Catawba on the 5th Monday after the 4th Monday in March and September.

Iredell on the 6th Monday after the 4th Monday in March and September.

Davie on the 7th Monday after the 4th Monday in March and September.

7th. Yadkin, 1st Monday in March and September. Surry, 2nd Monday in March and September.

Ashe, 3rd Monday in March and September.

Wilkes, 4th Monday in March and September.

Alexander, 1st after the 4th in March and September.

Caldwell, 2nd after the 4th in March and September.

Burke, 3rd after the 4th in March and September.

McDowell, 4th after the 4th in March and September.

Rutherford, 5th after the 4th in March and September. Clevelaad, 6th after the 4th in March and September.

8th. Cherokee, 1st Monday in March and September.

Macon, 2nd Monday in March and September.

Jackson, 3rd Monday in March and September.

Haywood, 4th Monday in March and September.

Henderson, 1st after the 4th in March and September.

Proceeds On the Court of the March and September.

Buncombe, 2nd after the 4th in March and September. Madison, 3rd after the 4th in March and September.

Yancey, 4th after the 4th in March and September.

Watauga, 5th after the 4th in March and September.

Mr. Davis moved to amend the amendment by striking out Burke and McDowell, and inserting Watauga.

Which motion was lost.

The question now recurring on agreeing to the amendment of Mr. Walker, the same was adopted.

Mr. Christian moved to amend the 3rd paragraph of the 1st section, by striking out Moore and inserting Montgomery, and by adding Moore on the Monday before the last Monday in February and August, which said amendment was adopted.

On motion by Mr. Biggs, the bill was further amended by striking out the second paragraph of the first section, and striking out 3rd in the first line of the first paragraph, and inserting 3rd and 4th.

The bill then passed its second reading as amended; yeas 19, nays 25.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Christian, Clark, Coleman, Collins, Eaton, Faison, Freeman, Gilmer, Graham, Graves, Haugh-

ton, Hoke, Jones, McDowell, Mills, Mitchell, Person, Speight, Thomas of Davidson, Thomas of Jackson, Walker, and Wood—25.

Those who voted in the negative, are,

Messrs. Bower, Brogden, Cherry, Cunningham, Davis, Drake, Eborn, Fonville, Herring, Lane, McCleess, Martin, Morisey, Oldfield, Sanders, Wilder, Wiggins, Willey, and Winslow of Pasquotank—19.

The recommendation of justices of the peace for New Hanover county was received from the House of Commons; read and concurred in.

On motion by Mr. Wilder, the Senate adjourned until to-morrow, 10 o'clock.

FRIDAY, JANUARY 12, 1855.

Mr. Wood presented a memorial on the subject of pilots, which was referred to the committee on propositions and grievances.

Mr. Morisey, from the committee on corporations, to whom was referred the bill to incorporate the Scotch Ireland Lodge, No. 11, of Ancient York Masons, reported the same back to the Senate and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning weights and measures;

A bill concerning usury; and

A bill concerning the treasurer, which were severally read the first time and passed.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate Pleasant Hill Lodge of Ancient York Masons, in the county of Alamance, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Silver Hill Mining Company, in the county of Davidson, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Greensborough Mining and Manufacturing Company, reported the same back to the Senate and recommended its passage.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to incorporate the trustees of New Institute, in Iredell county, reported the same back to the Senate and recommended that it do not pass.

The engrossed bill to enable the wardens of the poor of Pasquotank and Yancey counties to sell a portion of the poor-house lands was read the second time and passed; and under a suspension of the rules, said bill was read the third time, passed, and ordered to be enrolled.

The bill concerning vice and immorality;

The bill concerning the seat of government; and

The bill concerning waste, were severally read the second time and passed; and the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed.

The bill to confirm a grant of land to Elijah W. Piggot and his heirs was now taken up and referred to the committee on propositions and grievances,

The bill to provide for the payment of jurors in the county of Greene was read the second time, amended on motion by Mr. Willey by extending its provisions to the county of Gates, and passed its second reading as amended; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to authorize the county of Henderson to sell and convey lands owned by the county was read the second time and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to authorize gates in Green River cove, in Henderson county, was read the second time and passed; and the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill concerning prosecution bonds, was read the second time and rejected.

The engrossed bill to authorize the collection of arrearages of taxes in Jackson county, was read the second time and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons, informing that they have passed the engrossed bill to lay off and establish

the county of Polk, with an amendment, in which they ask the concurrence of the Senate; the amendment was agreed to, and a message sent to the House of Commons informing thereof.

The message also stated, that the House had passed the accom-

panying engrossed bill, viz:

A bill to incorporate the Cape Fear and Wacamaw Canal and Lumber Company in Brunswick county; in which they ask the concurrence of the Senate.

The engrossed resolution in favor of E. D. Davis, sheriff of Jackson county, was read the second time and passed; the rules being suspended, the resolution was read the third time, passed, and ordered to be enrolled.

The bill to establish a library of documents for each House of the General Assembly, was read the second time and passed; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Greensboro' and Martin's Limekiln Plankroad Company, was read the second time, the amendments proposed by the committee agreed to, and the bill passed its second reading, as amended.

The engrossed resolution in relation to the public treasurer, was now taken up, and read the second time.

The question on the passage of the resolution on its second reading, was decided in the affirmative; yeas 41, nays 1.

Mr. Wilder demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Cherry, Christian, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fisher, Fonville, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McDowell, Martin, Mills, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Tayloe, Thomas, of Davidson, Thomas, of Jackson, Walker, Wilder, Wiggins, Willey, Winslow, of Pasquotank, and Wood—41.

Those who voted in the negative, are,

Messrs. Brogden-1.

The rules being suspended, the resolution was now read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons, transmit-

ting the recommendations of sundry justices of the peace; which were read and concurred in.

The Senate now proceeded to the consideration of the bill to recharter the Bank of Cape Fear; the pending question being on agreeing to the amendment proposed by the committee, viz:

" Strike out the 12th section."

The amendment was agreed to.

On motion by Mr. Ashe, the bill was further amended, by inserting the following section, viz:

"Be it further enacted, 'That the lands, tenements and hereditaments, which the corporation is by this act authorized to acquire and possess, shall be only such as shall be requisite for the immediate accommodation for the transaction of its business, and for the accommodation of its officers, agents or servants, and such as have been or may be bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the ordinary course of business, or purchased at sale, upon judgments or decrees rendered in favor of the bank.

The amendment proposed by the committee, viz:

In the 4th line of section 14th, after the word "from" insert the word "taxation"; was read and agreed to.

Mr. Ashe moved the following as an additional section, viz:

Be it further enacted, That whenever the said bank hath any demand upon any person or corporation, it shall be lawful for said person or corporation to pay and discharge such demand in the notes of said bank, without regard to the place where the same may be payable and demandable, and the tender of such notes in payment or discharge of any such demand, or any part thereof, shall be good and available in law.

The question recurring on the foregoing amendment, it was determined in the affirmative; yeas 29, noes 11.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Brogden, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fonville, Graves, Herring, Hoke, Jones, Lane, Martin, Mitchell, Morisey, Oldfield, Person, Speight, Taylor, Tayloe, Walker, Wiggins, Willey and Wood-29.

Those who voted in the negative, are,

Messrs. Cherry, Fisher, Gilmer, Graham, Haughton, McClees,

Rayner, Sanders, Thomas of Davidson, Wilder, and Winslow of Pasquotank—11.

So the amendment was carried.

Mr. Haughton now moved the following as an additional section, viz:

That it shall be the duty of said bank and all branches and agencies authorised by it, to receive any and all monies offered for deposite, and the respective Cashiers thereof, shall sign and deliver to every depositor of money, a certificate of the amount therein deposited, and by whom.

The amendment was adopted.

On motion by Mr. Ashe, the bill was further amended by striking out the word "pro rata" in the 13th line of the 15th section.

Mr. Biggs moved further to amend the bill as follows:

That no bill, certificate of deposite or promissory note, shall be issued by the corporation for a less sum than five dollars.

Pending the consideration of which,

On motion by Mr. Cherry, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, JANUARY 13, 1855.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill for the completion of the North Carolina Railroad, made a detailed report thereon; which said report, with the bill accompanying the same, was ordered to be printed.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred a memorial in reference to sundry amendments of statutes, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Biggs, from the same committee, reported the following bills, and recommended their passage, viz:

A bill concerning repeal and construction of statutes;

A bill concerning wills and testaments; and

A bill concerning widows; which said bills were severally read the first time and passed.

Mr. Wilder, from the committee on public buildings, to whom was referred the resolution on the subject of heating the two halls

of the capitol, asked to be discharged from its further considera-

On motion by Mr. Cherry,

Ordered, That the resolution be recommitted to the said committee.

Mr. McDowell introduced the following resolution, viz:

Resolved, That from and after to-day the Senate will hold afternoon sessions, commencing at 3 o'clock, P. M.

On motion by Mr. Graham,

Ordered, That said resolution be laid upon the table.

Mr. Rayner introduced a bill for the incorporation and better regulation of the town of Murfreesborough, in the county of Hertford, which was read the first time, passed, and referred to the committee on corporations.

Mr. Morisey introduced a resolution authorizing a loan by the literary board to the trustees of Spring Hill Academy, in Robeson county, which was read the first time, passed, and referred to the committee on education and the literary fund.

Mr. McDowell introduced a bill to incorporate the Wilmington and Smithfield Steamboat Company, which was read the first time and passed.

Mr. Christian, a bill to emancipate Handy, Polly, and Louisa, slaves of John H. Cook, which was read the first time, passed, and referred to the committee on propositions and grievances.

The bill concerning usury was read the second time and passed; the rules being suspended, the said bill was read the third time.

Mr. Wilder moved to strike out the word "double" in the 10th line of the bill.

The question on which said motion was determined in the negative; yeas 20, nays 23.

. Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative are;

Messrs. Christian, Clark, Coleman, Collins, Eaton, Eborn, Fisher, Fonville, Freeman, Hoke, Lane, Mills, Morisey, Oldfield, Sanders, Taylor, Tayloe, Thomas of Davidson, Walker, and Wilder—20.

Those who voted in the negative are,

Messrs. Biggs, Bower, Boyd, Brogden, Cherry, Drake, Faison, Gilmer, Graham, Graves, Haughton, Herring, Jones, McClees,

McDowell, Martin, Person, Rayner, Speight, Wiggins, Willey, Winslow of Pasquotank, and Wood—23.

So the Senate refused to strike out.

The bill passed its third reading, and was ordered to be engrossed, under the 7th joint rule.

Received a massage from the House of Commons, agreeing to the amendment of the Senate to the engrossed bill to authorize the erection of a court house in Iredell county, &c.

Ordered, That said bill be enrolled.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning seat of government;

A bill concerning waste;

A bill concerning vice and immorality;

A bill for the better regulation of the poor of Randolph county;

A bill to incorporate the Salem and Clemmonsville Plankroad Company;

A bill to incorporate the Howard's Gap Turnpike Com-

A bill to provide for the payment of jurors in the counties of Greene and Gates;

A bill for the better regulation of the town of Hillsboro'; and A bill to establish a library of documents for each House of the General Assembly.

The bill concerning weights and measures;

The bill concerning seamen;

The bill concerning surety and principal; and

The bill concerning public debts, were severally read the second time and passed; under a suspension of the rules, said bills were read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The resolution for the loan of \$3,000 by the Literary Board to the Clinton Female Institute in Sampson county, was read the second time.

The question being taken on the passage of the resolution, it was determined in the affirmative; yeas 27, nays 17.

Mr. Thomas, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Cherry, Christian, Coleman, Drake, Faison, Fisher, Fonville, Freeman, Gilmer, Graham, Haughton, Herring, Jones, McDowell, Mills, Morisey, Person, Rayner, Sanders, Speight, Tayloe, Thomas, of Jackson, Wiggins, Willey, Winslow, of Pasquotank, and Wood—27.

Those who voted in the negative, are,

Messrs. Bower, Boyd, Clark, Collins, Cunningham, Eaton, Eborn, Graves, Lane, McClees, Martin, Mitchell, Oldfield, Taylor, Thomas, of Davidson, Walker and Wilder—17.

So the resolution passed its second reading.

Mr. Faison now moved a suspension of the rules, that the bill might be read a third time.

The motion was lost.

On motion by Mr. Rayner, the Senate now took up for consideration the resolution authorizing a loan of ten thousand dollars, by the Literary Board, to the Wesleyan Female College.

The resolution was read the second time.

Mr. Thomas, of Jackson, moved to amend the same, by striking out "ten thousand dollars," and mserting "three thousand dollars."

Mr. Wiggins now moved to amend the amendment, by striking out "three thousand dollars," and inserting "five thousand dollars."

The amendment to the amendment was agreed to.

The question now recurring on the passage of the resolution its second reading, as amended, the same was determined in the negative; yeas 19, nays 23.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Coleman, Drake, Faison, Fonville, Freeman, Gilmer, Haughton, Jones, McDowell, Mills, Morisey, Person, Rayner, Wiggins, Willey, Winslow, of Pasquotank, and Wood—19.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Cunningham, Eaton, Eborn, Graham, Graves, Herring, Lane, McClees, Martin, Mitchell, Oldfield, Sanders, Speight, Taylor, Thomas, of Davidson, Thomas, of Jackson, Wilder and Walker—23.

So the resolution was rejected.

On motion by Mr. Graham, the Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 15, 1855.

The Speaker announced that Messrs. Coleman, Christian, and Thomas of Davidson, constitute the Senate's branch of the committee on enrolled bills for the present week.

The engrossed bill to incorporate the Little River Turnpike Company, was read the first time and passed, and referred to the committee on corporations.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bills and recommended their passage, viz:

A bill concerning insolvent debtors; and,

A bill concerning the University; which said bills were read the first time, and passed.

On motion by Mr. Collins, the bill to provide for the better regulation of the town of Louisburg, in Franklin county, was now taken up.

Whereupon, Mr. Collins presented a memorial on the subject, and the bill and memorial were referred to the committee on corporations.

Mr. McDowell presented the pension certificate of Martha Spears; which was read, and on motion, ordered to be signed by the Speaker of the Senate and transmitted to the House of Commons.

Mr. Graves offered the following resolution, viz:

Resolved, That the committee on education and the literary fund be instructed to introduce a bill requiring the treasurer to collect the funds of said board now loaned out, and invest the same in State bonds.

On motion by Mr. Wilder,

Ordered, That said resolution be laid on the table.

Mr. Martin introduced a bill to incorporate the Danbury Hydraulic Company; which was read the first time, and passed, and referred to the committee on corporations.

Mr. Graves introduced a bill to incorporate Clinton Lodge, No. 167, of Ancient York Masons, in the county of Caswell; which was read the first time, and passed, and referred to the committee on corporations.

On motion by Mr. Cunningham, the following resolution here

tofore laid on the table, was now taken up for consideration, viz:

Resolved, That from and after to-day, the Senate will hold afternoon sessions; commencing at 3 o'clock, P. M.

Mr. Cunningham moved to amend the resolution by striking out "to-day" and inserting "Wednesday next."

Mr. Mills moved to amend the amendment by striking out all after the word "Resolved," and inserting, that from and after Wednesday next, the Senate will hold its sessions from 10 o'clock, A. M., until 3 o'clock, P. M.

The amendment to the amendment was agreed to, and the resolution adopted as amended.

On motion by Mr. Clark,

Resolved, That the committee on banks be instructed to report to the Senate,

Whether the banks of this State have made such exhibits and returns as they are required to do by their charter, for the last two years;

And further report, the amount of specie and bank notes in circulation, as exhibited by said bank returns, and what increase if any, there has been of the same within that time;

And whether any of said banks have transcended their powers and privileges, and that the said committee report by bill or otherwise.

The bill concerning wrecks;

The bill concerning replevin; and,

The bill concerning quo warranto and mandamus, were severally read the second time and passed; and the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed under the 7th joint rule.

A message was sent to the House of Commons informing that the Senate has passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill concerning public debt;

A bill concerning surety and principal;

A bill concerning seamen;

A bill concerning weights and measures; and

A bill concerning usury.

Received a message from the House of Commons informing that they have passed the following engrossed bill in which they ask the concurrence of the Senate, viz:

A bill to incorporate the Female Benevolent Socity of Newbern.

The same message stated that the committee on enrolled bills on the part of the House of Commons for the present week consists of Messrs. Jordan, Gorrell, Myers, Mann, and Sherrill.

Received also from the House of Commons the recommendations from sundry justices, which were concurred in.

Mr. Graham introduced a bill making provision for the reduction of the public debt, which was read the first time and passed, and on motion made the order of the day for Monday next.

On motion by Mr. Fisher the Senate now took up for consideration the bill to incorporate the Western North Carolina Railroad Company, which was read the second time.

Mr. Bower moved that the bill be laid upon the table, which motion was lost.

The amendments proposed by the committee on internal improvements to sections 5, 6, and 8 were severally read and agreed to.

The amendment proposed to section 9, line 2d, viz., strike out "\$400,000" and insert "\$600,000," was agreed to; the amendment proposed to said section, line 5th, viz., strike out "eight" as the number of State directors and insert "six," was disagreed to. The other amendments proposed by the committee to the remaining sections of the bill were severally read and adopted.

Mr. Clark proposed the following as an additional section to the bill, viz., "That every county through which this road passes may subscribe for any amount of the capital stock in said company, as a majority of the voters of said county may approve, for which purpose the courts of pleas and quarter sessions for said counties are hereby authorized to hold an election at the usual times and places of voting for members of the General Assembly."

The amendment was adopted.

Mr. Brogden moved further to amend the bill by adding the following as an additional section, viz:

"Be it further enacted, That it shall be the duty of the president and directors of said company, during the first week in December of each and every year, to transmit to the Governor, to be by him laid before the General Assembly at each biennial session, a correct statement of the receipts and expenditures of

said company during the year preceding, and also the amount of its debts."

The amendment was agreed to.

Mr. Brogden now moved the following amendment, which was rejected, viz:

Be it further enacted, That whenever the General Assembly may be of opinion that the charter hereby granted has been violated, it shall be lawful for the Legislature to direct the attorney general, with such assistant counsel as the Governor or Legislature may think proper to engage, to issue a writ of scire facias, returnable before the judges of the supreme court, calling upon said corporation to show cause why their charter shall not be forfeited, subject to the same proceedings as are now prescribed by law in case of other corporations.

Mr. Brogden proposed the following amendment, to be inserted after section 13, viz:

"Be it further enacted, That no person shall be eligible as president or director of said company, unless he be a resident of this State."

The amendment was adopted.

The question now recurring on the passage of the bill, as amended, it was determined in the affirmative; yeas 33, nays 14.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Boyd, Cherry, Christian, Coleman, Cunningham, Davis, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McDowell, Mills, Mitchell, Oldfield, Rayner, Speight, Tayloe, Thomas, of Davidson, Thomas, of Jackson, Walker, Wilder, Wiggins, Winslow, of Pasquotank, and Wood—33.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Drake, Eaton, Eborn, McClees, Martin, Person, Sanders, Taylor and Willley—14.

So the bill passed its second reading.

Mr. Person moved that the Senate do now take up the bill to divide the State into eight judicial circuits.

Pending the consideration of which motion,

The Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, JANUARY 16, 1855.

Mr. Drake, from the committee on claims, to whom was referred the engrossed resolution in favor of Henry Nutt, reported the same back to the Senate, and recommended its passage.

Mr. Drake, from the same committee, to whom was referred the engrossed resolution in favor of Wm. H. High, sheriff of Wake county, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the town of Lenoir, in Caldwell county, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Silver Hill Mining Company, in the county of Davidson, reported the same back to the Senate, and recommended its passage.

Mr · McDowell, from the same committee, to whom was referred the bill to incorporate Pleasant Hill Lodge, of ancient York Masons, in the county of Alamance, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to authorize the building of a toll bridge on the Roanoke river, at the town of Halifax, and to incorporate a company for that purpose, reported the same back to the Senate, with amendments.

On motion by Mr. Graves, the committee on claims, to whom was referred the resolution in favor of Walter Gwynn, was discharged from the further consideration of the same; and said resolution referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill for the better regulation of the town of Wilson, in Edgecombe county, reported the same back to the Senate, with amendments.

Mr. Boyd, from the committee on finance, to whom was referred the bill to amend the act incorporting the town of Plymouth, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

On motion by Mr. Jones,

Ordered, That said bill be laid upon the table.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill for the better protection of religious assemblies, reported the same back to the Senate, and recommended its rejection.

Mr. Hoke, from the same committee, to whom was referred the memorial of Samuel Edwards and others, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Hoke, from the same committee, to whom was referred the engrossed bill to prevent the ranging of stock in Yancey county, reported the same back to the Senate, and recommended that it do not pass.

Mr. Boyd, from the committee on finance, to whom was recommitted the bill to provide for a more uniform valuation of the lands within this State, and that the taxes be listed, levied, and collected in the same year, &c.

And to whom was referred a resolution of instruction on the subject, reported the same back to the Senate, and asked to be discharged from the further consideration of the same.

Discharged accordingly.

The engrossed bill to incorporate the East Fork Turnpike Company, was read the first time, and passed, and referred to the committee on internal improvements.

The engrossed bill to incorporate the Cape Fear and Waccanaw Canal and Lumber Company, in Brunswick county, was read the first time, passed, and referred to the committee on corporations.

The engrossed bill to prevent the felling and putting timber in Haw River and the Great Alamance River, in the county of Alamance, was read the second time, amended, and passed; the rules being suspended, said bill was read the third time, and passed; and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The bill to incorporate the Greensboro' Mining and Manufacturing Company, was read the second time, and passed.

The recommendations of sundry justices of the peace were read and agreed to.

Received a message from the House of Commons, transmitting sundry recommendations of justices of the peace; which were read and concurred in.

The bill concerning religious societies was read the second time, and passed.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning wrecks;

A bill concerning quo warranto and mandamus; and

A bill concerning replevin.

On motion by Mr. Gilmer the Senate now proceeded to the consideration of the bill to charter the Fayetteville and Greensborough Railroad Company.

The bill was read the second time. The amendment proposed by the committee on internal improvements to the 42d section of the bill was read and adopted.

Mr. McDowell moved to strike out the whole of the 42d section as amended. The motion was lost.

The amendment proposed by the committee to the 43d section, viz., strike out the words "to endorse the bonds of the company" and insert "issue State bonds," was disagreed to.

The amendment to the 44th section was adopted, viz., strike out "seven" and insert "six."

The other amendments proposed by the committee were rejected.

On motion by Mr. Gilmer the bill was amended by inserting in the 2d line of the 43d section, after the word commenced, the words "on the bank of the Cape Fear."

Whereupon the Senate resolved itself into a committee of the whole, Mr. McDowell in the chair, to take into consideration the said bill, and after some time spent therein, the Speaker resumed the chair and the chairman reported said bill back to the Senate.

Mr. Gilmer now moved to amend the bill by adding the following proviso to the 44th section, viz:

"Provided, however, That the aid of the State to the road herein proposed, shall not extend beyond the third section until further legislation." The amendment was adopted.

Mr. Brogden moved to amend the 27th section of the bill by

striking out all of the same after the word "estate" in the 10th line of the printed bill. The motion was lost.

On motion by Mr. Clark the bill was further amended by striking out the 39th section of the same.

The question now recurring on the passage of the bill its second reading as amended, it was determined in the negative; yeas 22, nays 27.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Ashe, Boyd, Cherry, Christian, Coleman, Cunningham, Davis, Faison, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Lane, McDowell, Mills, Morisey, Thomas of Davidson, Thomas of Jackson, and Walker—22.

Those who voted in the negative are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Drake, Eaton, Eborn, Fennell, Fonville, Herring, Jones, McClees, Martin, Mitchell, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Tayloe, Wilder, Wiggins, Willey, N. Winslow, and Wood—27.

Mr. Rayner now moved a reconsideration of the vote by which the said bill was rejected, which said motion was laid on the table.

Mr. Boyd, from the select committee to whom was committed the bill to amend the constitution of the State of North Carolina, made a report thereon, and asked to be discharged from the further consideration of the subject. Discharged accordingly.

On motion the Senate now took up said bill for consideration.

Whereupon Mr. Boyd offered a substitute for the first section of the same.

After debate, the consideration of the same was suspended,

And a message received from the House of Commons transmitting a communication from his Excellency, the Governor, with accompanying communications from W. J. Clarke, late comptroller of public accounts, and L. O'B. Branch, president of the Raleigh and Gaston Railroad, with a proposition to refer the same to the committee on finance.

The proposition was concurred in, and the House of Commons informed thereof by message.

The recommendations of sundry justices of the peace were read, accepted, and sent to the House of Commons.

Mr. Haughton moved to reconsider the vote by which was passed, on yesterday, the resolution providing for the time of hold-

ing the sessions of the Senate, which motion was laid on the table.

On motion by Mr. Ashe, the Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, JANUARY 17, 1855.

Mr. Fisher, from the committee on internal improvements, to whom was referred a memorial on the subject, reported a bill relating to the Fayetteville and Warsaw Plankroad Company; which was read the first time, and passed.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the New River Navigation Company, reported the same back to the Senate with a substitute for the same, and submitted a detailed report thereon; which report was ordered to be printed.

Mr. Wilder, from the committee on banking, to whom was referred the bill to amend the seventh section of an act, entitled an act, to establish a bank in the town of Washington, in the county of Beaufort, reported the same back to the Senate, and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning slaves and free persons of color; which was read the first time, and passed.

On motion by Mr. Person, the Senate now took up for consideration, the bill to divide the State into eight judicial circuits.

The bill was read the third time.

Mr. Person moved to amend the first section of the bill as follows, viz:

Except, that Northampton shall be taken from the third circuit and added to the first, and the courts there shall be holden the seventh Monday after the fourth Monday of March and September.

The amendment was agreed to.

Mr. Wilder moved further to amend the bill;

When on motion by Mr. Hoke,

Ordered, That said bill be laid on the table.

A message was received from the House of Commons, transmitting a communication from his Excellency the Governor, accompanied by sundry resignations of justices of the peace.

On motion by Mr. Boyd, the Senate now took up for consideration the bill to amend the Constitution of the State of North Carolina.

The question being on the adoption of the amendment proposed by Mr. Boyd, to strike out the first section of the bill and insert the following as a substitute, viz:

Every free white man of the age of twenty-one years, being a native or naturalized citizen of the United States, and who has been an inhabitant of the State for twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for a member of the Senate, for the district in which he resides.

The question recurring on the adoption of said amendment, it was determined in the affirmative; yeas 29, nays 21.

Those who voted in the affirmative, are,

Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Drake, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder, and Wood—29.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Cunningham, Davis, Eaton, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Morisey, Rayner, Tayloe, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank—21.

So the amendment was adopted.

Mr. Thomas of Davidson, now moved the following proviso to the first section of the bill as amended, viz:

Provided, That no person who has been convicted of any felonious or infamous crime in any foreign country, or any State of this Union, or who has become a fugitive from justice from any such country or State, on account of the commission of such crime, shall be permitted to vote in this State.

The question on the adoption of said amendment, was determined in the negative; yeas 23, nays 27.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Clark, Cunningham, Davis, Eaton, Eborn, Freeman, Gilmer, Graham, Haughton, Lane,

McClees, Mitchell, Morisey, Rayner, Taylor, Tayloe, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank—23.

Those who voted in the negative, are,

Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Coleman, Collins, Drake, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Oldfield, Person, Sanders, Speight, Thomas of Jackson, Walker, Wilder and Wood—27.

So the amendment was lost.

Mr. Davis now moved the following amendment as an additional section, viz:

Be it further enacted, (three fifths of the whole number of members in each House, concurring,) That the third section of the fourth article of the amended Constitution, ratified as aforesaid, be stricken out, and the following be substituted in its stead, viz:

All lands liable to taxation, held by deed, grant, or entry, town lots, bank stock, slaves between the ages of twelve and fifty years; and such other property as the General Assembly may from time to time deem expedient, shall be taxable.

All property shall be taxed according to its value; that value to be ascertained in such manner as the legislature shall direct, so that the same be equal and uniform throughout the State.

No one species of property from which a tax may be collected, shall be taxed higher than other species of property of equal value; but the General Assembly shall have power to tax merchants, incomes and professions or privileges, in such manner as they may from time to time direct; and a tax on white polls shall be levied equal in amount to the tax on property assessed and valued at three hundred dollars.

The amendment was lost; yeas 10, nays 40.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Christian, Davis, Gilmer, Graham, Haughton, Lane, Mitchell, Morisey and Thomas of Davidson—10.

Those who voted in the negative, are,

Messrs. Speaker, Biggs, Bower, Boyd, Brogden, Cherry, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Graves, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Oldfield, Person, Ray-

ner, Sanders, Speight, Taylor, Tayloe, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—40.

Mr. McClees now moved the following amendment as a proviso to the first section of the bill, viz:

"Provided, That no person, unless he shall have paid public taxes within one year immediately preceding every election, and no foreigner, unless he shall also have been naturalized according to the laws of the United States, now in force or that may hereafter be passed, shall vote either for a member of the House of Commons or Senate."

Mr. Speaker decided that the amendment, as proposed, was not in order; but that so much of the said amendment as provided for the payment of public taxes as a qualification for a person's voting for the Senate, might be submitted, in order, as an independent proposition.

From which decision Mr. Graham appealed.

And the question being put—shall the decision of the chair stand as the judgment of the Senate? it was determined in the affirmative; yeas 27, nays 20.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Faison, Fennell, Fisher, Fonville, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Mitchell, Oldfield, Sanders, Speight, Walker, Wilder and Wood—27.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Davis, Eaton, Eborn, Freeman, Gilmer, Graham, Haughton, Lane, McClees, Morisey, Rayner, Taylor, Tayloe, Thomas of Davidson, Wiggins, Willey and Winslow of Pasquotank—20.

So the Speaker was sustained.

Mr. McClees then offered the following amendment, to wit:

"Provided, That no person, unless he shall have paid his proper public taxes, within one year immediately preceding every election, shall vote either for a member of the House of Commons or Senate."

Pending the consideration of which said amendment, by leave of the Senate, the amendment was withdrawn.

Mr. Thomas, of Jackson, moved to amend the bill, by striking out the first section of the same, and inserting the following in lieu thereof, viz:

"Every citizen of the State who is entitled to vote for members of the House of Commons, shall be entitled to a vote for a member of the Senate, for the district in which he resides."

The Speaker decided the amendment to be not in order.

Whereupon, Mr. Thomas, of Jackson, with leave, presented the memorial of Chee-nee-lus-key, of Cherokee, praying not to be disfranchised of his rights by any amendment to the constitution; which memorial was read.

Mr. Thomas then moved a reconsideration of the vote by which the amendment offered by Mr. Boyd as a substitute to the first section of the bill was adopted. The motion was lost.

The question now recurred on the passage of the bill on its third reading, and was determined in the affirmative; yeas 35, nay 15.

Mr. Boyd demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Christian, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Graves, Herring, Hoke, Jones, McDowell, Martin, Mills, Morisey, Oldfield, Person, Sanders, Speight, Taylor, Walker, Wilder and Wood—35.

Those who voted in the negative, are,

Messrs. Cherry, Eaton, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Rayner, Tayloe, Thomas of Jackson, Thomas of Davidson, Wiggins, Willey and Winslow of Pasquotank—15.

So that three-fifths of the whole number of Senators voting in its favor, the bill passed its third reading, as amended, and was ordered to be engrossed.

Mr. Rayner presented a memorial on the subject of temperance; which was referred to the committee on propositions and grievances.

Mr. Mills introduced a bill supplemental to an act, entitled an act to establish Polk county; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Eborn introduced a bill to authorize the county court of

Pitt county to regulate tolls upon the bridge across Tar river, at Greenville; which was read the first time, passed, and referred to the committee on propositions and grievances.

On motion by Mr. McClees, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, JANUARY 18, 1855.

Mr. Biggs introduced a bill, accompanied by a memorial, to alter the name of Jamestown, in the county of Martin, which said bill was read the first time, passed, and referred to the committee on corporations.

Mr. Wilder, from the committee on banking, to whom was referred the resolution instructing said committee to report the returns, exhibits, &c., made by the banks of the State, made a detailed report thereon.

Ordered, That said report be laid upon the table.

Mr. Gilmer introduced a bill to amend the law concerning divorce and alimony, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. McClees introduced a bill to incorporate the town of Columbia, in Tyrrell county, which was read the first time, passed, and referred to the committee on corporations.

Mr. Cunningham presented the resignation of Thomas K. Green, a justice of the peace for Person county, which was accepted and sent to the House of Commons.

Mr. Gilmer introduced a bill to incorporate the Conrad Hill Gold and Copper Mine Company, in the county of Davidson, which was read the first time, passed, and referred to the committee on corporations.

Mr. Biggs, from the committee on the Revised Statutes, to whom was referred the bill to expedite the trial of certain suits in courts of law, reported the same back to the Senate and recommended that it do not pass.

Mr. Clark introduced a resolution concerning a change in the rules of order, which hes over one day for consideration.

On motion by Mr. Haughton the Senate now took up for consideration the bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes.

The bill being read the second time, the amendments proposed by the committee were read and agreed to. Mr. Haughten offered further amendments to the bill, which were read and adopted.

Mr. Biggs moved to amend the bill by striking out the 10th section of the same. The motion prevailed.

Pending the consideration of the bill,

On motion by Mr. Biggs, the further consideration of the same was postponed until to-morrow.

A message was received from the House of Commons transmitting the recommendations of sundry justices of the peace, which were concurred in.

Mr. Mills introduced a resolution in favor of J. W. Erwin, which was read the first time, passed, and referred to the committee on claims.

A message was received from the House of Commons stating that they concur in the amendment of the Senate to the engrossed bill to prevent the felling and putting timber in Haw river and the Great Alamance river, in the county of Alamance.

Ordered, That said bill be enrolled.

Received a message from the House of Commons stating that they have passed the engrossed bill from the Senate concerning mines, with an amendment, in which they ask the concurrence of the Senate.

Pending the consideration of which amendment, On motion by Mr. Clark, the Senate adjourned.

FRIDAY, JANUARY 19, 1855.

Received a message from the House of Commons, informing that they have passed the following engrossed bills and resolution, in which they ask the concurrence of the Senate, viz:

A bill to amend an act, passed at the General Assembly of 1846'-47, entitled an act to incorporate the town of Statesville; which was read the first time and passed, and referred to the committee on corporations.

A bill to incorporate the Grand Royal Arch Chapter of North Carolina, of free and accepted Masons; which was read the first time and passed.

A resolution in favor of H. S. Smith; which was read the first time and passed, and referred to the committee on claims.

A bill for the protection of sheep; which was read the first time and passed, and referred to the committee on the judiciary.

A bill to incorporate the town of Warsaw; which was read the first time and passed, and referred to the committee on corporations.

A bill concerning fishing in Tar and Pamlico rivers; which was read the first time and passed, and referred to the committee on the judiciary.

A bill to incorporate the Chatham Rail Road Company; which was read the first time and passed, and referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial from the trustees of the literary seminaries, of the town of Murfreesboro', upon the subject of temperance, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred a resolution in favor of Bryant R. Hinnant, late sheriff of Johnston county, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to authorize the county court of Pitt county to regulate tolls upon the bridge across Tar river, at Greenville, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the same committee, to whom was referred the bill to confirm a grant to Elijah W. Piggott and his heirs, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

On motion by Mr. Wood,

Ordered, That said bill be referred to the committee on the judiciary.

On motion by Mr. Speight,

Resolved, That from and after Saturday, the 20th instant, the Senate will daily take a recess from $1\frac{1}{2}$ to 3 e'clock, P. M.; and that it will hold afternoon sessions, commencing at the last named hour.

Mr. Gilmer introduced a bill to incorporate the North Carolina

Copper Company; which was read the first time and passed, and referred to the committee on corporations.

Also, a bill to incorporate the Fisher Hill Mining Company, in the county of Guilford; which was read the first time and passed, and referred to the committee on corporations.

Also, a bill to incorporate Hodgen Hill Mining Company; which was read the first time and passed, and referred to the committee on corporations.

Mr. Coleman introduced a bill to authorize the construction of dams across French Broad river, in the counties of Henderson, Buncombe and Madison; which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. McDowell, a bill to incorporate the Cape Fear Academy, in the county of Bladen; which was read the first time and passed.

Mr. Cherry introduced a bill to incorporate the trustees of Woodburn Female Seminary, in the county of Guilford; which was read the first time and passed, and referred to the committee on education and the literary fund.

Mr. Clark presented the memorial of the Agricultural Society of North Carolina; which was ordered to be printed, and referred to a select committee of five.

Whereupon, the Speaker announced that Messrs. Clark, Rayner, Eaton, Mills and Davis constitute said committee.

Received a message from the House of Commons, stating that they have passed the engrossed bill concerning mills and millers, with an amendment, in which they ask the concurrence of the Senate.

The amendment was agreed to, and the House of Commons informed thereof by message.

Received a message from the House of Commons stating that they insist on their amendment to the engrossed bill concerning criminal proceedings.

Mr. Hoke moved that the Senate do insist on its disagreement. The motion prevailed.

Whereupon, by motion of Mr. Eaton, a message was sent to the House of Commons inviting a conference on the disagreeing votes of the two Houses.

A message was received from the House of Commons stating

that they have passed the engrossed bill concerning agriculture and geology, with an amendment, in which they ask the concurrence of the Senate.

On motion by Mr. Haughton,

Ordered, That said bill be laid on the table.

Mr. Hoke, from the committee on the judiciary, to whom was referred the resolution concerning white persons congregating with slaves, &c., reported the same back to the Senate and asked to be discharged from the further consideration of the subject. Discharged accordingly.

Mr. Coleman introduced a bill to incorporate the Indian Grave Gap Turnpike Company, which was read the first time, passed, and referred to the committee on corporations.

The Speaker laid before the Senate a communication from the public treasurer in answer to a resolution of the Senate, concerning the investment of premiums, &c.

Ordered, That said resolution and report be printed.

Mr. Coleman, from the committee on the judiciary, to whom was referred the bill supplementary to an act entitled an act to establish Polk county, reported the same back to the Senate and recommended its passage.

Mr. Faison introduced a bill relating to roads, bridges, and ferries, &c., which was read the first time, passed, and referred to the committee on corporations.

Mr. Hoke moved that the Senate do now take up and consider the bill to divide the State into eight judicial circuits. The motion was lost.

The engressed bill concerning mines being now taken up, the question being on agreeing to the amendments of the House of Commons,

On motion by Mr. Gilmer,

Ordered, That the same be laid upon the table.

The Senate now proceeded to the consideration of the resolution submitted by Mr. Clark on yesterday, concerning a change in the rules of order.

Mr. Clark offered a substitute for the same, but before any question was taken thereon,

On motion by Mr. Gilmer,

Ordered, That the same be laid on the table.

On motion by Mr. Biggs the Senate now took up for consideration the bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes; the same being on its second reading.

Mr. Brogden moved to amend the bill by adding the following proviso to the second section of the same, viz:

"Provided, That before any of the said bonds are delivered to the president and directors of said company, the individual stockholders in the same holding at least three-fourths of the stock, shall enter into a bond, payable to the State of North Carolina, covenanting and binding each and every one of the obligors therein to pay and satisfy to the State a part proportionable to the shares of each one's stock, in any loss or damage that may come to the State in consequence of such endorsement of said bonds and insufficiency of the real and personal estate and property of said company to pay and discharge the same.

"And provided, further, That before any of said bonds are delivered as aforesaid, the Governor shall inquire into the standing and ability of said obligors, and shall certify to the public treasurer that in his opinion said obligors are fully able and sufficient to make good at least three-fourths of the amount for which the public treasurer is authorized to endorse."

The question being taken on said amendment it was lost; yeas 2, nays 43.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Brogden and Drake-2.

Those who voted in the negative are,

Messrs. Ashe, Biggs, Bower, Boyd, Cherry, Christian, Clark, Collins, Cunningham, Davis, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graves, Haughton, Herring, Hoke, Jones, Lane, McDowell, Martin, Mills, Mitchell, Morisey, Oldfield, Rayner, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—43.

The bill then passed its second reading.

On motion by Mr. Graves, the Senate now proceeded to the consideration of the bill to incorporate the Dan River and Yadkin Railroad Company; which was read the second time.

The amendments proposed by the committee on internal improvements, were agreed to.

Mr. Fisher moved an amendment to the seventeenth section of

the bill, which was adopted.

The question now recurring on the passage of the bill on its second reading, it was determined in the negative; yeas 20, nays 21.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Bower, Boyd, Christian, Coleman, Cunningham, Davis, Fisher, Freeman, Gilmer, Graves, Haughton, Hoke, Lane, Mitchell, Morisey, Taylor, Thomas of Davidson, Thomas of Jackson, and Walker—20.

Those who voted in the negative, are,

Messrs. Biggs, Brogden, Cherry, Clark, Collins, Drake, Eaton, Eborn, Faison, Fennell, Herring, Jones, Oldfield, Rayner, Sanders, Tayloe, Wiggins, Willey, Winslow of Pasquotank, and Wood—21.

So the bill was rejected.

Mr. Cherry moved a reconsideration of the vote just taken, by which the foregoing bill was rejected.

Ordered, That said motion be laid on the table.

On motion by Mr. Thomas of Jackson, the Senate adjourned.

SA'TURDAY, JANUARY 20, 1855.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to repeal so much of an act as provides for the appointment of a superintendent of common schools, reported the same back to the Senate, and recommended its passage.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning salaries and fees; which was read the first time, and passed.

On motion by Mr. Rayner, the Senate now took up for consideration the bill to aid the erection of a monument commemorative of American Independence.

The bill was read the second time, and passed;

The rules being suspended, said bill was read the third time, passed unanimously, and ordered to be engrossed.

Ordered further, That the name of the Speaker and members of the Senate present, voting for said bill, be recorded on the journals, viz:

Messrs. Speaker, Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graves, Haughton, Herring, Hoke, Jones, Lane, McDowell, Martin, Mills, Mitchell, Morisey, Oldfield, Rayner, Sanders, Speight, Taylor, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, N. Winslow, and Wood.

On motion by Mr. Mills,

Resolved, That the treasurer of the State be instructed to enquire and report to the Senate, what amount has been invested by the State of North Carolina, in works of internal improvement, and in what part of the State those works are located, to which the State has subscribed stock, or otherwise aided in constructing.

On motion by Mr. Mitchell, the Senate took up for consideration, the bill to incorporate a plankroad from Mocksville to Wilkesboro', and to provide for a subscription of stock on the part of the State.

The bill was read the second time, amended, and passed its second reading as amended.

Received a message from the House of Commons, transmitting sundry recommendations of justices of the peace; which were read and concurred in.

Received a message from the House of Commons, stating that they concur in the proposition of the Senate to hold a conference on the "bill concerning criminal proceedings;" and that Messrs. Dortch, Outlaw, and Phillips are appointed managers on the part of the House.

Whereupon, the House of Commons were informed by message, that Messrs. Hoke, Biggs, and Gilmer, are appointed managers to conduct said conference on the part of the Senate, and proposing that the managers on the part of the Senate, meet the managers on the part of the House in the library room, to-day at 1 o'clock.

Mr. Cunningham moved to take up the motion which had been laid on the table, to reconsider the vote by which was rejected the

bill to incorporate the Dan River and Yadkin Railroad Company.

The motion prevailed.

The question on the motion to reconsider was determined in the affirmative.

The bill was then read by its title, and passed its second reading.

Mr. Rayner, now moved to take up the motion heretofore laid upon the table, to reconsider the vote by which was rejected, the bill to charter the Fayetteville and Greensboro' Railroad Company; which was agreed to.

The question on the motion to reconsider was carried.

Whereupon the bill was read by its title and passed its second reading.

Mr. Hoke now called up the bill to divide the State into eight judicial circuits.

The pending question being on agreeing to the amendment of Mr. Wilder to the third section of the bill, which gives two weeks to the county of Wake and alters the time of holding the courts for the counties of Franklin, Warren, and Halifax. The amendment was adopted.

Mr. Hoke moved the following amendment as a substitute for the 7th and 8th sections, viz:

Seventh circuit.

Cleveland, 1st Monday in March and September.

Rutherford, 2nd Monday in March and September.

McDowell, 3d Monday in March and September.

Burke, 4th Monday in March and September.

Caldwell, 1st Monday after 4th Monday in March and September.

Alexander, 2d Monday after 4th Monday in March and September.

Wilkes, 3d Monday after 4th Monday in March and September.

Watauga, 4th Monday after 4th Monday in March and September.

Ashe, 5th Monday after 4th Monday in March and September. Surry, 6th Monday after 4th Monday in March and September.

Yadkin, 7th Monday after 4th Monday in March and September.

Eighth circuit.

Cherokee, 1st Monday in March and September.

Macon, 2d Monday in March and September.

Jackson, 3d Monday in March and September.

Haywood, 4th Monday in March and September.

Henderson, 1st Monday after 4th Monday in March and September.

Polk, 2d Monday after 4th Monday in March and September. Buncombe, 3d Monday after 4th Monday in March and September.

Madison, 4th Monday after 4th Monday in March and September.

Yancey, 5th Monday after 4th Monday in March and September.

The amendment was adopted.

The question now recurred on the passage of the bill upon its third reading as amended. The vote stood yeas 22, nays 22.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Biggs, Boyd, Christian, Clark, Coleman, Collins, Eaton, Faison, Fennell, Fisher, Freeman, Gilmer, Graves, Haughton, Hoke, McDowell, Mills, Speight, Thomas of Jackson, Walker, Wilder, and Wood—22.

Those who voted in the negative are,

Messrs. Ashe, Bower, Brogden, Cherry, Cunningham, Drake, Eborn, Fonville, Herring, Jones, Lane, Martin, Mitchell, Morisey, Oldfield, Rayner, Sanders, Tayloe, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank—22.

There being a tie the Speaker voted in the affirmative, and the bill passed its third reading.

Mr. Haughton now moved a reconsideration of the vote just taken on the passage of the bill, and moved that said motion to reconsider be laid upon the table. The motion was agreed to.

On motion by Mr. Wiggins,

Resolved, That the Senate devote the balance of the day to the consideration of private bills, and bills concerning the Revised Statutes.

The bill concerning pilots;

The bill concerning entries and grants; and

The bill to amend the charter of the town of Charlotte, were severally read the second time and passed.

A resolution in favor of Bryant R. Hinnant, late sheriff of Johnston county, was read the second time and passed; the rules being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Wm. H. High, sheriff of Wake county, and

The engrossed resolution in favor of Henry Nutt, were severally read the second time and passed; the rules being suspended, said resolutions were read the third time, passed, and ordered to be enrolled.

The bill concerning internal improvements;

The bill concerning quarantine; and

The bill concerning partition, were severally read the second time and passed; the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to incorporate the Pamlico and Albemarle Insurance Company, was read the second time.

The amendments reported by the committee agreed to, the bill passed its second reading as amended.

The engrossed bill to amend the act incorporating the town of Plymouth, was read the third time, passed, and ordered to be enrolled.

The bill to incorporate the Scotch Island Lodge, No. 11, of Ancient York Masons, in Rowan county;

The bill to incorporate the Anson Institute;

The bill to amend the charter of the town of Nashville;

The bill to incorporate Pleasant Hill Lodge of Ancient York Masons, in the county of Alamance;

The bill to incorporate the Wilmington and Smithfield Steamboat Company; and

The bill to authorize the county court of Pitt county to regulate tolls upon the bridge across Tar river, were severally read the second time and passed; and the rule being suspended, said bills were read the third time, passed, and ordered to be engrossed.

The bill to authorize the building of a toll bridde over the Roanoke river, at the town of Halifax, and to incorporate a company for that purpose, was read the second time, the amendment proposed by the committee agreed to, and the bill passed its second reading, as amended; the rule being suspended, the said bill was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Charles H. Thompson, was read the first time and passed; the rules being suspended, said resolution was read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to amend the charter of the Western Plank-road Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to amend the 7th section of an act, entitled an act to establish a bank in the town of Washington, in the county of Beaufort, was read the second time and passed; the rule being suspended, said bill was read the third time, amended on motion by Mr. Tayloe, and passed its third reading, as amended; and a message sent to the House of Commons, asking their concurrence to the amendment of the Senate.

Mr. Hoke, from the committee of conference on the disagreeing votes of the two Houses on "the bill concerning criminal proceedings," submitted the following report, viz:

The undersigned committee of conference on the part of the two Houses, upon the bill entitled "A bill concerning criminal proceedings," and the disagreeing votes of the two Houses on said bill, (section 1,) have had the same under consideration, and upon a full and free conference, have agreed to recommend to their respective Houses, the following amendment to said section, in place of the words, "or hath removed out of the State," which is the subject of disagreement, the words, "or by procurement or connivance hath removed out of the State."

J. F. HOKE, JOHN A. GILMER, ASA BIGGS,

Com. on part of the Senate.

The question on agreeing to the amendment to the amendment, was decided in the affirmative, and a message sent to the House of Commons informing thereof.

The bill to incorporate the Greensboro' Mining and Manufac-

turing Company, was read the third time, passed, and ordered to be engrossed.

The bill concerning religious societies, was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The engrossed bill to incorporate the Grand Royal Arch Chapter of North Carolina, of free and accepted Masons, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill to incorporate Cape Fear Academy, in the county of Bladen, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

On motion, the Senate adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY 22, 1855.

The Speaker announced that Messrs. Graves, Tayloe and Eborn, constitute the committee on enrolled bills for the present week.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill, and recommended its passage, viz:

A bill concerning county and superior courts, which was read the first time, and passed.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of the Commons, viz:

A bill concerning partition;

A bill concerning religious societies;

A bill concerning internal improvements; and,

A bill concerning quarantine and health.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, in which they ask the concurrence of the Commons, viz:

A bill to incorporate Cape Fear Academy, in Bladen county;

A bill to authorise the county court of Pitt to regulate tolls;

A bill to incorporate Scotch Ireland Lodge, No. 11;

A bill to incorporate Pleasant Hill Lodge, &c.;

A resolution in favor of Bryant R. Hinnant, late sheriff of Johnson county;

A bill to incorporate the Greensboro' Mining and Manufacturing Company;

A bill to amend the charter of the town of Nashville; and,

A bill to aid the erection of a monument, commemorative of the declaration of American Independence.

Received a message from the House of Commons, stating that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to amend an act incorporating the town of Clinton, which was read the first time, and passed; and the rules being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

A bill to hold court two weeks in New Hanover county, which was read the first time, and passed.

Also a message, informing that Messrs. Baxter, Singeltary, Shipp, Bynum of Northampton, and Whitlock, constitute the House branch of the committee on enrolled bills for the present week.

Mr. Mitchell now moved to take up the motion, heretofore laid on the table, to reconsider the vote by which was passed the bill to divide the State into eight judicial circuits.

The motion prevailed, and the motion to reconsider was carried.

The question now recurred on the passage of the bill upon its third reading, and was determined in the negative; yeas 17, nays 25.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Boyd, Christian, Eaton, Faison, Fisher, Gilmer, Graham, Graves, Haughton, Hoke, Mills, Speight, Thomas of Jackson, Walker, Wilder and Wood—17.

Those who voted in the negative, are,

Messrs. Bower, Brogden, Cherry, Collins, Cunningham, Davis, Drake, Eborn, Fennell, Fonville, Herring, Jones, Lane, Martin, Mitchell, Morisey, Oldfield, Rayner, Sanders, Taylor, Tayloe, Thomas of Davidson, Wiggins, Willey and Winslow of Pasquotank—25.

So the bill was rejected.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to emancipate Handy, Polly and

Louisa, reported the same back to the Senate, and recommended that it do not pass.

The bill was read the second time, and rejected.

Received a message from the House of Commons, transmitting the recommendations of sundry justices of the peace, which were read and concurred in.

Mr. Eaton, from the select committee on agriculture, reported the following bill, and recommended its passage, viz:

A bill to encourage agriculture, and for other purposes; which said bill was read the first time, and passed.

Mr. Fonville now called up the bill for the improvement of the ship navigation of New river, in the county of Onslow.

The bill was read the second time, the substitute proposed by the committee on internal improvements adopted, and the bill passed its second reading, as amended.

On motion by Mr. Eaton the Senate now took up for consideration, the bill for completing, furnishing, and enclosing the buildings and grounds of the Lunatic Asylum, which was read the second time, amended, and passed; the rules being suspended, said bill was read the third time and passed; yeas 37, nays 5.

Mr. Thomas of Davidson demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Boyd, Cherry, Christian, Coleman, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Freeman, Gilmer, Graham, Haughton, Herring, Hoke, Jones, Lane, McDowell, Martin, Mills, Mitchell, Morisey, Oldfield, Rayner, Speight, Taylor, Tayloe, Thomas of Jackson, Walker, Wilder, Wiggins, Winslow of Pasquotank, and Wood—37.

Those who voted in the negative, are,

Messrs. Bower, Brogden, Collins, Thomas of Davidson, and Willey—5.

So the bill passed its third reading and was ordered to be engrossed.

The Senate now proceeded to the consideration of the bill for the completion of the North Carolina Railroad, which was read the second time.

The question being on the amendment of the committee on internal improvements as a substitute for the bill,

Mr. Graham moved to amend the third section of the same by

striking out the word "six" and inserting "five," and the word "four" and inserting "five," so as to make the directory consist of five on the part of the State and five on the part of the individual stockholders.

Mr. Fisher called for a division of the question, and moved that the question be first taken on striking out, which was ordered, and upon the question to strike out the vote stood yeas 20, nays 23.

Mr. Graham called for the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Coleman, Davis, Freeman, Gilmer, Graham, Graves, Haughton, Lane, Mitchell, Morisey, Speight, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, and Winslow of Pasquotank—20.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Collins, Cunningham, Drake, Eaton, Eborn, Fasson, Fennell, Fisher, Fonville, Herring, Hoke, Jones, Martin, Mills, Oldfield, Sanders, Taylor, Willey, and Wood—23.

So the Senate refused to strike out.

Mr. Gilmer moved to amend the third section of the bill by striking out "10" and inserting "12," and by striking out "6" and inserting "S." The amendment was agreed to.

Mr. Gilmer further moved to amend the third section of the bill by striking out all after the word "shall" in the fourth line of the fourth section, and inserting the following, viz., "not be entitled, in the general meeting aforesaid, to vote for the election of the directors to be elected on the part of individuals."

The amendment was adopted.

Mr. Graham now moved to amend the third section of the bill by filling up the blank in the last line of said section with the word "ten."

Mr. Wilder moved to fill said blank with the word "five," and the question being first taken on his amendment, the same was adopted.

The amendment reported as a substitute was agreed to.

The question now recurring on the passage of the bill upon its second reading as amended, it was determined in the affirmative; yeas 44, nays none.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McDowell, Martin, Mills, Mitchell, Morisey, Oldfield, Rayner, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Wilder, Walker, Wiggins, and Wood—44.

So the bill passed its second reading.

On motion by Mr. Cherry, the rules were suspended and the bill read the third time.

Mr. Hoke moved an amendment to the bill, pending the consideration of which,

The Senate took a recess until 3 o'clock.

Three o'clock, P. M.

Mr. Mills introduced a bill to amend the constitution of North Carolina, and to provide for annual sessions of the General Assembly; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Bower introduced a bill to establish a new county, by the name of Alleghany; which was read the first time and passed, and referred to the committee on propositions and grievances.

The bill to expedite the trial of certain suits in courts at law, was read the second time and rejected.

The Senate now resumed the consideration of the bill for the completion of the North Carolina Railroad.

The pending question being on the adoption of the amendment of Mr. Hoke, offered as a proviso to the third section of the bill, viz:

"Provided, That the directors on the part of the State shall not be required to own any share of stock, to qualify them to act as such."

The amendment was rejected.

The bill then passed its third reading, and was ordered to be engrossed.

On motion of Mr. Jones, the Senate now took up for consideration the bill to incorporate a company to construct a ship canal, to connect the waters of Albemarle, Currituck and Pamlico Sounds with the Chesapeake Bay, and for other purposes.

The bill was read the third time.

Mr. Graves moved that said bill be laid upon the table; which motion was lost; yeas 4, nays 35.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cunningham, Graves, McDowell and Taylor-4.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Brogden, Cherry, Christian, Collins, Drake, Eaten, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Haughton, Herring, Jones, Lane, Martin, Mills, Mitchell, Morisey, Oldfield, Sanders, Speight, Thomas of Davidson, Walker, Wilder, Wiggins, Willey, Winslow of Pasquotank, and Wood—35.

So the Senate refused to lay the bill on the table.

Whereupon the bill passed its third reading.

On motion by Mr. Cherry, the vote just taken on the passage of the bill was reconsidered.

The bill was then amended, and passed its third reading as amended, and was ordered to be engrossed.

Received a message from the House of Commons, stating that they concur in the amendment to the bill "concerning criminal proceedings," proposed by the committee of conference, and adopted by the Senate.

Also a message, stating that the House of Commons concur in the amendment proposed by the Senate to the bill "to amend the 7th section of an act, entitled an act to establish a bank in the town of Washington, &c."

Ordered, That said bill be enrolled.

Also a message, stating the House of Commons have passed the engrossed bill "concerning evidence," with an amendment; in which they ask the concurrence of the Senate.

The amendment was agreed to, and the House of Commons informed thereof by message.

Mr. Mills now called up the bill supplemental to an act, entitled an act to establish Polk county, which was read the second time, and passed.

On motion by Mr. Hoke, the Senate proceeded to the consider-

ation of the bill to authorise the Fayetteville and Deep River Navigation Company, to issue bonds, and for other purposes.

The bill was read the third time, and amended; and the question recurring on the passage of the bill on its third reading, as amended, it was determined in the affirmative; yeas 38, nays 8.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Cherry, Christian, Coleman, Cunningham, Davis, Eaton, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Jones, Lane, McDowell, Mills, Mitchell, Morisey, Oldfield, Rayner, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins and Wood—38.

Those who voted in the negative, are,

Messrs. Brogden, Collins, Drake, Herring, Martin, Sanders, Willey and Winslow of Pasquotank—8.

On motion of Mr. Fisher, the Senate now took up for consideration, the bill to incorporate the Western North Carolina Railroad Company.

The bill was read the third time, and amended, on motion by Mr. Fisher.

Mr. Coleman moved a further amendment to the bill, pending the consideration of which,

On motion by Mr. Fisher, the Senate adjourned.

TUESDAY, JANUARY 23, 1855.

Mr. Christian introduced a bill to incorporate the Moore and Montgomery Plankroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. McDowell, from the committee on corporations, to whom the same had been referred, reported the following bills and recommended their passage, viz:

The bill to incorporate the Fisher Hill Mining Company;

The bill to incorporate Cypress Creek Academy, in Jones county:

The bill for the incorporation and better regulation of the town of Murfreesborough, in the county of Hertford; and

The bill to alter the name of Jamestown, in the county of Martin.

Mr. Drake from the committee on claims, to whom was referred the resolution in favor of H. S. Smith, reported the same back to the Senate and recommended its passage.

Mr. Boyd introduced a resolution in favor of Calvin McRae, which was read the first time, passed, and referred to the com-

mittee on claims.

Mr. Boyd introduced a resolution in favor of J. R. Jones, which was read the first time, passed, and referred to the committee on claims.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills in which they ask the concurrence of the House, viz:

A bill to incorporate the Union Institute;

A bill for completing, furnishing, and enclosing the buildings and grounds of the Lunatic Asylum;

A bill to authorize the building of a toll bridge in the county of Halifax, over the Roanoke river, and for other purposes.

The following bills were read the second time and passed, viz:

The bill concerning limitations;

The bill concerning secretary of State;

The bill concerning processioning;

The bill concerning registers; and

The bill concerning sheriffs.

The rules being suspended, said bills were severally read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning University was read the second time, amended on motion by Mr. Graham, and passed.

The rules being suspended, said bill was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning widows was read the second time, amended by the several motions of Messrs. Eaton and Biggs, and passed as amended; the rules being suspended, said bill was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

Mr. Morisey moved a reconsideration of the vote by which the bill to divide the State into eight judicial circuits was rejected, and moved that said motion be laid upon the table. The motion was agreed to.

Mr. Haughton moved that the Senate do now take up and consider the bill to incorporate the Fayetteville and Greensborough Railroad Company. The motion was lost,

Mr. Thomas of Davidson, introduced a bill to amend an act, entitled an act to incorporate the Greensboro' Mutual Insurance Company, passed in 1850-'51, which was read the first time, and passed, and referred to the committee on corporations.

On motion by Mr. Haughton, the bill to incorporate the Bank of Clarendon, at Fayetteville, was now taken up, and made the special order for to-day at $3\frac{1}{5}$ o'clock.

On motion by Mr. Cherry, the Senate now proceeded to the consideration of the bill to re-charter the Bank of Cape Fear.

The pending question being on the amendment of Mr. Biggs, viz:

That no bill, certificate of deposit, or promissory note, shall be issued or re-issued by the corporation, for a less sum than five dollars.

The question on the adoption of the amendment, was determined in the affirmative; yeas 29, nays 18.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Cherry, Clark, Coleman, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Fisher, Fonville, Graves, Herring, Hoke, Jones, Lane, Mitchell, Oldfield, Person, Sanders, Speight, Taylor, Tayloe, Wilder, Willey and Wood—29.

Those who voted in the negative, are,

Messrs. Ashe, Boyd, Christian, Faison, Fennell, Freeman, Gilmer, Graham, Haughton, McDowell, Martin, Mills, Morisey, Thomas of Davidson, Thomas of Jackson, Walker, Wiggins and Winslow of Pasquotank—18.

So the amendment was adopted.

Mr. Wilder moved the following, as an additional section to the bill, viz:

Be it further enacted, That it shall be the duty of the president of the bank, on or before the fifteenth day of December of every year, to transmit to the public treasurer, a full and correct statement of the condition of the bank, showing the amount of capital, notes in circulation, and from what places issued, debts

due to other banks, and what banks, and all other particulars necessary to show the debit side of the account, also the amount of specie on hand, debts due from other banks, and what banks, real estate, the amount of notes or bonds discounted, and of bills of exchange, showing in one item, the amount due from directors, and in another, the amount due from stockholders; but in no case designating the names of the debtors, and all other particulars necessary to show the true condition of the credit side of the account; which statement, together with a statement of the dividends which shall accrue from time to time upon the stock of the bank, the public treasurer shall lay before the General Assembly.

Mr. Clark moved an amendment to the foregoing amendment, making it the duty of the president to transmit to the public treasurer semi-annual statements instead of annual statements, as provided for in said amendment.

The amendment to the amendment was adopted, and the amendment agreed to, as amended.

The bill was further amended, on motion by Mr. Wilder, by the adoption of the following as an additional section, viz:

"Be it further enacted, That any committee appointed by the Legislature for that purpose, may at any time inspect the books, and examine into and report the proceedings of the corporation."

The bill now passed its second reading, as amended.

The bill to repeal so much of an act passed in 1852, as provides for the appointment of a superintendent of common schools, was now taken up and read the second time.

Mr. Cunningham moved that the further consideration of the bill be postponed until Monday next.

Pending the consideration of which motion, The Senate took a recess until 3 e'clock, P. M.

Three o'clock, P. M.

The bill concerning treasurer; and

The bill concerning pilots, were severally read the second time and passed; the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill concerning entries and grants, was read the third time and passed, and ordered to be engrossed, under the 7th joint rule.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning widows;

A bill concerning sheriffs;

A bill concerning University ·

A bill concerning limitations;

A bill concerning processioning;
A bill concerning secretary of State;

A bill concerning treasurer;

A bill concerning pilots; and

A bill for the completion of the North Carolina Railroad.

The Senate now resumed the consideration of the unfinished business of the morning, viz:

The bill to repeal so much of an act passed in 1852, as provides for the appointment of a superintendent of common schools.

The pending question being, on the motion by Mr. Cunningham, that the further consideration of the bill be postponed, and made the order of the day for Monday next. The motion prevailed.

The bill concerning wills and testaments; and,

The bill concerning repeal and construction of statutes, were severally read the second time and passed.

The rules being suspended, said bills were read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The Senate now proceeded to the consideration of the unfinished business of yesterday, viz:

The bill to incorporate the Western North Carolina Railroad Company.

The pending question being on the adoption of the following amendment of Mr. Coleman, viz:

In the 2d section, in the 4th and 5th lines, strike out the words, "passing by or near to the town of Asheville, in Buncombe county," and in 6th and 7th lines, strike out the words, "in the direction of, and near Chattanooga, in said State."

Upon a division, the vote was 20 yeas, and 20 nays.

The Speaker voted in the affirmative, and the amendment was adopted.

Mr. Graham now moved to amend the 2d section of the bill, as follows, viz:

This strike out all after the word "railroad," and insert "passing to some point on the French Broad river, beyond the Blue Ridge, and if the legislature shall hereafter determine, to such point in the Tennessee line, as it shall designate at a future session."

The amendment was agreed to.

The bill being further amended, on the several motions of Messrs. Coleman and Graham,

Mr. Wilder moved to amend the 46th section of the bill, by adding the following proviso, viz:

Provided however, That should the first subscription provided for in the 7th section of this act, to be taken by individuals, on the first division, be four hundred thousand dollars, and the five per cent. thereon paid, and the certificate thereof made as in said 7th section mentioned, then, and in that case, the first subscription on the part of the treasurer of the State, for the said first division, shall be eight hundred thousand dollars.

Mr. McDowell moved to amend the amendment of Mr. Wilder as follows, viz:

"Provided, further, The public treasurer shall not subscribe more than \$800,000 unless authorized by the next General Assembly."

The question on the adoption of the amendment to the amendment resulted as follows: yeas 23, nays 23.

Mr. McDowell demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Cherry, Clark, Collins, Cunningham, Drake, Eaton, Eborn, Herring, Jones, McDowell, Martin, Mitchell, Morisey, Person, Rayner, Sanders, Taylor, Wiggins, Willey, and Winslow of Pasquotank—23.

Those who voted in the negative, are,

Messrs. Ashe, Christian, Coleman, Davis, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Lane, Mills, Oldfield, Speight, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, and Wood—23.

There being a tie the Speaker voted in the negative, and the amendment to the amendment was lost.

The amendment of Mr. Wilder was adopted.

Mr. Cherry moved a further amendment to the bill, pending the consideration of which,

On motion by Mr. Wilder, the Senate adjourned; yeas 26, nays 21.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Coleman, Drake, Fisher, Fonville, Freeman, Gilmer, Graham, Herring, Hoke, Lane, Mills, Mitchell, Morisey, Rayner, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, and Winslow of Pasquotank—26.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Christian, Clark, Collins, Cunningham, Davis, Eaton, Eborn, Faison, Fennell, Graves, Haughton, Jones, McDowell, Martin, Oldfield, Person, and Wood—21.

WEDNESDAY, JANUARY 24, 1855.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills, in which they ask the concurrence of the Commons, viz:

A bill concerning wills and testaments;

A bill concerning entries and grants;

A bill concerning repeal and construction of statutes; also

A bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes; and

A bill to incorporate a company to construct a ship canal to unite the waters of Albemarle, Currituck, and Pamlico Sounds with the Chesapeake Bay, and for other purposes.

Received a message from the House of Commons transmitting the recommendations of sundry justices of the peace, which were read and concurred in.

Also the resignation of James M. Edney, a justice of the peace for the county of Buncombe, which was read and accepted.

On motion by Mr. Biggs,

Resolved, That the Revised Statutes and private bills be considered this afternoon.

Mr. Wilder, from the committee on public buildings, reported the following resolution and recommended its passage, viz:

A resolution making an appropriation for building a new executive mansion in this State, which was read the first time and passed.

A message was received from the House of Commons transmitting the report of the joint committee on finance.

Mr. Fennell, from the committee on corporations, to whom was referred the bill to incorporate Clinton Lodge, No. 107, of Ancient York Masons, in the county of Caswell, reported the same back to the Senate and recommended its passage.

Mr. Fennell, from the same committee, to whom was referred the bill to incorporate the Danbury Hydraulic Company, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the town of Warsaw, reported the same back to the Senate and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Conrad Hill Gold and Copper Mine, in Davidson county, reported the same back to the Senate, and recommended its passage.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to establish a new county by the name of Alleghany, reported the same back to the Senate, and recommended its passage.

Mr. Coleman introduced a bill concerning emancipation of slaves, which was read the first time, and passed, and referred to the committee on the judiciary.

Mr. Boyd a bill to amend an act, entitled an act to incorporate the town of Madison, in the county of Rockingham, which was read the first time, and passed, and referred to the committee on corporations.

Mr. Collins a bill to incorporate the trustees of the Franklinton Male and Female Institutes, in the town of Franklinton, which was read the first time, and passed, and referred to the committee on corporations.

Mr. Coleman introduced a bill to amend the constitution of North Carolina, which was read the first time, and, by motion of Mr. Graham, ordered to be laid on the table.

On motion by Mr. Wilder, the Senate now proceeded to the consideration of the bill to incorporate the New River Navigation

Company, which was read the third time, and passed, and ordered to be engrossed.

Received a message from the House of Commons, stating that they have passed the engrossed bill from the Senate, concerning usury, with an amendment, in which they ask the concurrence of the Senate.

The Senate disagreed to the amendment, and the House of Commons were informed thereof by message.

Also a message, informing that the House of Commons have passed an engrossed bill to change the time of holding the courts of pleas and quarter sessions of Beaufort county, in which they ask the concurrence of the Senate.

The Senate now resumed the consideration of the unfinished business of yesterday, viz:

The bill to incorporate the Western North Carolina Railroad Company.

The question being on the adoption of the amendment proposed by Mr. Cherry,

By leave of the Senate, the amendment was withdrawn.

Mr. Fisher moved the following amendment, as an additional section, viz:

Be it further enacted, That the construction of the first division of said road, shall be commenced at its eastern terminus; and the said division being fully completed, equipped and put to work, the subsequent divisions shall then be constructed, under the provisions hereinbefore made, progressively westward, and the State shall be called upon to pay no larger amount than \$400,000 per annum, for the next two years succeeding the passage of this act.

The amendment was adopted.

Mr. Thomas of Davidson, now moved to amend the 2d section of the bill, as follows, viz:

Strike out "Salisbury," and insert "Lexington, thence through the county of Davie."

The question on the adoption of said amendment, was determined in the negative; yeas 18, nays 25.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Drake, Eborn, Jones, Lane, Martin, Mitchell, Rayner, Tayloe, Thomas of Da-

vidson, Wilder, Wiggins, Willey and Winslow of Pasquotank—18.

Those who voted in the negative, are,

Messrs. Ashe, Christian, Coleman, Cunningham, Davis, Eaton, Faison, Fennell, Fisher, Fonville, Freeman, Graham, Graves, Herring, Hoke, McDowell, Mills, Morisey, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, and Wood—25.

So the amendment was lost.

Mr. Mitchell now moved to amend the second section of the bill, by inserting after the word railroad, in the 4th line, the words, by or near Taylorsville, in Alexander county."

The amendment was rejected.

The bill being further amended on the several motions of Messrs. Haughton and Rayner,

Mr. Haughton proposed the following, as an additional amendment to the 11th section of the bill, viz:

"And as soon as the first division of said road shall have been completed, it shall be equipped for the transportation of passengers and freight, and all necessary warehouses, water stations, and buildings shall be erected, so that such division shall be put in full operation before the State shall be called upon to subscribe any further sum; and two-thirds of the nett proceeds of such part so completed, shall be paid into the public treasury semiannually, to be applied in discharge of interest on the bonds issued by the State for said road, and the other third of nett proceeds shall be paid to the individual stockholders in proportion to the stock of each; and whenever such division shall have been completed and in full operation, and one-third of the estimated cost of the second division shall have been subscribed by solvent persons, and so certified as prescribed in section VIII of this act, the State shall subscribe the remaining two-thirds of the estimated cost of such division, and shall pay pro rata with individual stockholders, (such payment by them being in cash or labor;) and when said second division shall have been completed and in full operation, the nett proceeds shall be applied as herein before prescribed; when the said first and second divisions shall have been completed and in full operation, and one third of the estimated cost for completing the remaining division shall have been subscribed by solvent persons certified as aforesaid, two-thirds of the estimated cost thereof for completing the said road to its western

terminus shall be subscribed by the State; and shall be in full operation, the nett proceeds shall be applied as aforesaid, and the State shall pay her share of the subscription pro rata as aforesaid; but the five per cent. as prescribed in this act shall in all cases be paid by individuals before the State is required to pay: Provided, That cars may be run and tolls collected on any portion of either of said divisions: Provided, further, That the State shall not be required to pay more than \$400,000 in any one year.

The amendment was adopted.

After the adoption of sundry further amendments to the bill, proposed by Messrs. Haughton and Graham,

Mr. Haughton moved to reconsider the vote by which the amendment proposed by Mr. Fisher was this day adopted. The motion to reconsider was agreed to, and said amendment rejected.

The question now recurring on the passage of the bill upon its third reading, it was determined in the affirmative; yeas 32, nays 16.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messis. Ashe, Boyd, Cherry, Christian, Coleman, Davis, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Lane, McDowell, Mills, Mitchell, Morisey, Oldfield, Rayner, Speight, Tayloe, Thomas of Jackson, Walker, Wilder, Wiggins, Winslow of Pasquotank, and Wood—32.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Cunningham, Drake, Eaton, Eborn, Jones, Martin, Person, Sanders, Taylor, Thomas of Davidson, and Willey—16.

So the bill passed its third reading as amended, and was ordered to be engrossed.

The Senate now took a recess until 3 o'clock.

Three o'clock, P. M.

The bill to incorporate the Newbern Mutual Insurance Company was read the third time, passed, and ordered to be engrossed.

The bill concerning oaths; and

The bill concerning militia, were severally read the second time and passed; and the rule being suspended, said bills were

read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning justices of the peace was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

Mr. Jones introduced a bill to amend the 6th section of the act entitled an act concerning wrecks, passed at the present session of the General Assembly, which was read the first time, passed, and referred to a select committee of Messrs. Jones, McClees, Oldfield, Fonville, Fennell, and McDowell.

On motion by Mr. McDowell, the Senate now proceeded to the consideration of the bill to incorporate the Bank of Clarendon, at Fayetteville, which was read the second time.

The amendments proposed by the committee, were concurred in.

On motion by Mr. McDowell, the 1st section of the bill was amended, by striking out the "first Monday in January," and inserting the "first Monday in April."

Mr. Biggs offered the following amendment, as section 17, viz:
No bill, promissory note, check or certificate of deposit, shall be issued, or re-issued by the corporation, for a less amount than five dollars.

The amendment was adopted.

Mr. Clark moved to strike out the 15th section of the bill. 'The motion prevailed.

Mr. Eaton moved to amend the same, by striking out the 10th section, which was agreed to.

Mr. Clark moved to amend the bill, in the 2d line of the 2d section, by striking out the words "or their equivalent," The motion was lost.

After the adoption of some further amendments proposed by Messrs. Wilder and Clark,

Mr. Ashe moved the following, as an additional section of the bill, viz:

Be it further enacted, That the said bank shall, from time to time, when called on, after three months notice in writing, make loans of money to the State of North Carolina, whenever the same shall be applied for by authority given by the General Assembly,

provided the amount loaned, shall at no time exceed the sum of five per cent. on the capital stock subscribed.

The amendment was adopted.

The question now recurred on the passage of the bill upon its second reading, and was determined in the affirmative; yeas 26, nays 16.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Boyd, Brogden, Cherry, Christian, Davis, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Haughton, Herring, Hoke, Jones, Lane, McDowell, Mills, Morisey, Oldfield, Person, Tayloe, Thomas of Jackson, Walker and Wood—26.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Clark, Collins, Cunningham, Drake, Eaton, Eborn, Graham, Martin, Mitchell, Rayner, Speight, Wilder, Willey and Winslow of Pasquotank—16.

So the bill passed its second reading as amended.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills, viz:

A bill concerning militia;

A bill concerning justices of the peace; and,

A bill concerning oaths; in which they ask the concurrence of the House of Commons.

On motion by Mr. Haughton, the Senate now proceeded to the consideration of the bill to re-charter the Bank of Cape Fear.

The bill was read the third time.

Mr. Wilder moved to amend the first section of the same, by striking out "1875," and inserting "1880." The motion prevailed.

The bill was further amended, on motion by Mr. Wilder, by striking out the 19th section as amended.

Mr. Wilder moved to strike out the 9th and 10th sections of the bill, and insert a substitute proposed by him, in lieu thereof; which was agreed to, and the substitute adopted.

After the adoption of some further amendments offered by Mr. Wilder,

Mr. Wilder proposed the following amendment to be added to the 20th section of the bill, viz:

Or pay out the notes or bills of any other bank, of a less de-

nomination than five dollars, unless it be in settlement with such bank.

The amendment was adopted; yeas 24, nays 22.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Drake, Eaton, Eborn, Fisher, Fonville, Graves, Herring, Jones, Mitchell, Oldfield, Person, Sanders, Speight, Taylor, Wilder, Willey and Wood—24.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Collins, Davis, Faison, Fennell, Freeman, Gilmer, Graham, Haughton, Lane, McDowell, Martin, Mills, Rayner, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wiggins and Winslow of Pasquotank—22.

So the amendment was adopted.

Mr. Eaton moved to strike out the fifteenth section of the bill.

The motion was lost.

Mr. Tayloe moved the following as an additional section, viz: Be it further enacted, That the president and directors, and other officers of the bank be, and they are hereby prohibited from representing as proxies any other stock than they may severally own.

The amendment was adopted.

Mr. Clark now moved the following, as an additional section to the bill, viz:

Be it further enacted, That in consideration of the privileges and powers granted in this charter, the stockholders shall pay to the State treasury the sum of fifty thousand dollars, which shall be due and paid on their acceptance of this charter.

The amendment was lost.

The bill now passed its third reading, and was ordered to be engrossed.

On motion by Mr. McDowell, the Senate adjourned.

THURSDAY, JANUARY 25, 1855.

Mr. Christian introduced a bill to open Uwharie River for the free passage of fish, which was read the first time, and passed, and referred to the committee on the judiciary.

Also a bill to incorporate the Beaver Dam Gold mountain and Plank Sluicing Company, which was read the first time and passed, and referred to the committee on corporations.

Mr. Person introduced a memorial concerning the Seaboard and Roanoke Railroad Company, which was referred to the committee on the judiciary, and ordered to be printed.

Mr. Drake, from the committee on claims, to whom was referred the resolution in favor of J. R. Jones, reported the same back to the Senate, and recommended its passage.

Mr. Drake, from the same committee, to whom was referred the resolution in favor of J. W. Erwin, reported the same back to the Senate with an amendment, and recommended its passage.

Mr. Drake, from the same committee, to whom was referred the resolution in favor of Calvin McRae, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to amend an act entitled an act to incorporate the town of Madison in the county of Rockingham, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the trustees of the Franklinton Male and Female Institute, in the town of Franklinton, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the North Carolina Copper Company, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Female Benevolent Society of Newbern, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the town of Columbia, in Tyrrell county, reported the same back to the Senate, and recommended its passage.

Mr. Jones, from the select committee, to whom was referred the bill to amend the 6th section of the act entitled, an act concerning wrecks, passed at the present session of the General Assembly, reported the same back to the Senate, with an amendment.

On motion by Mr. Biggs,

Resolved, That the Revised Statutes and private bills be considered this afternoon, except bank bills.

Mr. Fisher submitted a resolution in relation to the public trea-

surer, which was read and referred to the committee on finance.

Mr. Fisher introduced a bill to amend an act passed by the General Assembly of 1852-3, entitled an act to incorporate the Salisbury, Mocksville, and Wilkesboro' Plankroad Company, which was read the first time and passed, and referred to the committee on corporations.

Mr. Thomas of Davidson, a bill to prevent the felling of timber in Jimmie's Creek, in the county of Davidson, which was read the first time and passed, and referred to the committee on the judiciary.

Mr. McDowell introduced a bill to incorporate the Brunswick Savings Institution, which was read the first time, and passed.

Received a message from the House of Commons, stating that they have passed the engrossed bill, to cede to the United States of America, certain sites for light-house purposes, with an amendment as a substitute for the same, and asking the concurrence of the Senate therein.

The Senate concurred in the amendment, and informed the House of Commons thereof by message.

Also a message informing that the House of Commons have passed the following engrossed bills and resolutions, in which they ask the concurrence of the Senate, viz:

A bill to incorporate the Greensborough, Madison, and Virginia Plankroad Company;

A bill concerning the Wilmington and Raleigh Railroad Company;

A resolution in favor of Thomas N. Alexander.

The bill to increase the capital stock of the Fayetteville and Western Plankroad Company was now taken up, read the second time, amended, and passed.

On motion by Mr. Mitchell, the Senate took up for consideration the bill to establish a plankroad from Mocksville to Wilkesborough, which was read the third time, passed and ordered to be engrossed.

The Senate now proceeded to consider the bill supplemental to an act entitled an act to lay off and establish a new county by the name of Polk. The bill was read the third time.

Whereupon Mr. Hoke offered an amendment as a substitute

for the bill, which was adopted, and the bill passed its third reading as amended and was ordered to be engrossed.

Received a message from the House of Commons transmitting the report of the select committee on the deaf and dumb and blind, with a proposition to print the same.

The proposition to print was concurred in.

On motion by Mr. Boyd, the Senate now took up for consideration the bill to incorporate the Dan River and Yadkin Railroad Company, which was read the third time.

Mr. Martin moved to amend the bill as follows, viz: after the words "Yadkin River" in the 4th line of the 2d section, insert "beginning at Henderson, or Lynesville, or some intermediate point in the county of Granville, through the counties of Person, Caswell, and Rockingham, to Germanton, in the county of Stokes, or within five or six miles north or south of said town, in no case to strike the State of Virginia east of the dividing line between Stokes and Rockingham counties, and said road to be continued in such direction as a future General Assembly may direct."

The amendment was adopted.

After the adoption of some further amendments proposed by Messrs. Boyd and Haughton,

The question recurred on the passage of the bill on its third reading, and was determined in the affirmative; yeas 26, nays 17.

Mr. McDowell demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Bower, Boyd, Christian, Coleman, Cunningham, Davis, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graves, Haughton, Herring, Hoke, Lane, Martin, Mills, Mitchell, Morisey, Speight, Taylor, Thomas of Jackson, Walker, and Wood—26.

Those who voted in the negative, are,

Messrs. Ashe, Brogden, Cherry, Clark, Drake, Eaton, Eborn, Graham, Jones, McDowell, Person, Rayner, Sanders, Thomas of Davidson, Wiggins, Willey, and Winslow of Pasquotank—17.

So the bill passed its third reading as amended and was ordered to be engrossed.

On motion by Mr. Mills, the Senate now proceeded to the consideration of the bill to charter the Fayetteville and Greensboro' Railroad Company, which being read the third time,

Mr. Fonville moved to strike out the 42d and 43d sections of the bill, and insert the following amendment as a substitute in lieu thereof, viz:

"Be it further enacted, That the said company shall have power to extend the said railroad east, at or near Clinton, through Warsaw, in Duplin county, to Beaufort harbor, and that the construction of said road shall be commenced at the several points of Fayetteville, Beaufort harbor, and Warsaw; and whenever a section of fifteen miles thereof shall be graded and ready to receive the superstructure at each of the points adjacent to Fayetteville, Warsaw, and Beaufort harbor, the public treasurer is hereby authorized and required, on being thereof certified by the president and directors, to endorse the bonds of the company to the amount of one hundred and fifty thousand dollars, and so totics quoties as often as any other fifteen miles of said road shall be graded.

Sec. 43. Be it further enacted, That for the purpose of enabling said company to extend said road east to Beaufort harbor, as herein before provided, that it shall be lawful to open books in the town of Clinton, under the direction of John R. Beaman, Thos. I. Faison, F. B. Millard, John Boykin, sen., R. C. Holmes, A. Johnson, W. T. Kerby, F. Pugh, Dr. E. F. Shaw, P. Murphy, W. M. McKay, Wm. S. Devane, J. T. Mathis, Thos. Bunting, C. Thompson, Wm. Faison, sen., or any three of them.

In the town of Warsaw, under the direction of C. J. Oates, Curtis P. Oates, W. L. Hill, Samuel R. Bowden, D. B. Morisey, or any three of them.

At Kenansville, under the direction of David Reid, W. C. Hill, W. J. Houston, O. R. Kenan, I. B. Kelly, and C. W. Graham, or any three of them.

Hallsville, under the direction of N. Hall, E. Armstrong, W. Farrier, and Bryan Southerland, or any three of them.

At Jacksonsville, under the direction of George J. Ward, John A. Averett, Jasper Ethridge, and E. Ward, or any three of them.

At Beaufort, under the direction of William J. Potter, B. S. Perry, Levi T. Oglesby, and Bridges Arendell, or any three of them.

And at Trenton, under the direction of Benjamin Askew, F. J. Simmons, and D. D. Troy.

And at such other places, and under the direction of such other persons, as any of the commissioners hereinbefore named to superintend the receiving of the same at Fayetteville shall direct."

The amendment was adopted.

The question now recurred on the passage of the bill upon its third reading, as amended, and was determined in the affirmative; yeas 23, nays 21.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Boyd, Christian, Coleman, Cunningham, Davis, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graves, Haughton, Herring, McDowell, Mills, Morisey, Oldfield, Speight, Thomas of Jackson, Walker, Winslow of Pasquotank, and Wood—23.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Brogden, Cherry, Clark, Collins, Drake, Eaton, Eborn, Graham, Jones, Lane, Martin, Mitchell, Person, Rayner, Sanders, Thomas of Davidson, Wilder, Wiggins and Willey—21.

So the bill passed its third reading as amended, and was ordered to be engrossed.

The bill concerning insolvent debtors, was read the second time and passed.

The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to incorporate the Pamlico and Albemarle Insurance Company, was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Mills, the Senate now took up for consideration the resolution for the loan of three thousand dollars by the literary board, to the Clinton Female Institute, in Sampson county.

The resolution was read the third time,

On motion by Mr. Mills, the resolution was amended by authorising a loan by the literary board aforesaid, of four thousand five hundred dollars, to the Wesleyan Female College, at Murfresborough.

And on motion by Mr. Clark, said resolution was further amended, by authorising by the said board, a like loan of four thousand five hundred dollars to the Chowan Female Institute.

The resolution then passed its third reading as amended, and was ordered to be engrossed.

The Senate now took a recess until 3 o'clock.

Three o'clock, P. M.

The bill concerning roads, ferries and bridges, was read the second time, and passed.

The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

The bill to emancipate Cresey, a slave, was read the second time, and rejected.

The bill concerning slaves and free persons of color, was read the second time, and passed.

The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed, under the 7th joint rule.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz:

A bill concerning insolvent debtors;

A bill concerning roads, ferries and bridges; and,

A bill concerning slaves and free persons of color.

The bill to incorporate Clinton Lodge, No. 107, of Ancient York Masons, in the county of Caswell, was read the second time and passed.

'The rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to prevent the ranging of stock from any other State or county, in Yancy county, was read the second time and rejected.

Received a message from the House of Commons, transmitting a communication from his Excellency the Governor, and accompanying documents in relation to the public arms, which was referred to the committee on military affairs.

Also a message from the House of Commons, transmitting a communication from his Excellency the Governor, with accompanying documents relative to the restoration of the statue of

Washington, which was referred to the committee on public buildings.

Received a message from the House of Commons, stating that they have passed the following engrossed bill, and ask the concurrecce of the Senate therein, viz:

A bill for the relief of the citizens of Iredell county.

The engrossed bill to incorporate the town of Lenoir, in Caldwell county, was read the second time and passed; the rule being suspended, said bill was read the third time, amended, and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

Mr. Mills called up the bill to incorporate the Bank of Clarendon, at Fayetteville, which was read the third time.

Mr. Biggs proposed to amend the bill by adding the following to the last section of the same, "or pay out the notes or bills of any other bank of a less denomination than five dollars, unless it be in settlement with such bank."

The question on the adoption of said amendment was determined in the affirmative; yeas 20, nays 17.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Cunningham, Drake, Eaton, Eborn, Herring, Jones, Martin, Mills, Mitchell, Oldfield, Person, Sanders, Speight, Willey, and Wood—20.

Those who voted in the negative, are,

Messrs. Ashe, Boyd, Cherry, Christian, Davis, Faison, Freeman, Gilmer, Graham, Haughton, Lane, McDowell, Morisey, Thomas of Davidson, Thomas of Jackson, Wiggins, and Winslow of Pasquotank—17.

So the amendment was adopted.

The bill then passed its third reading as amended, and was ordered to be engrossed.

The bill to repeal an act of the General Assembly passed at its session of 1848 and 1849, chapter 143, was read the second time.

Mr. Wiggins moved an amendment to said bill. Pending the consideration of which,

On motion by Mr. Rayner, the bill and amendment were laid upon the table.

The bill to emancipate James G. Hostler, a slave, was read the third time, passed, and ordered to be engrossed.

The resolution in favor of Calvin McRae was read the second time and passed; the rules being suspended, said resolution was read the third time, amended by striking out "Calvin" and inserting "Colen," passed as amended and ordered to be engrossed.

The bill to incorporate the Silver Hill Mining Company, in the county of Davidson;

The resolution in favor of J. R. Jones;

The bill to encourage agriculture, and for other purposes;

The bill to amend an act, entitled an act to incorporate the town of Madison, in the county of Rockingham;

The bill to incorporate the Conrad Hill Gold and Copper Mining Company, in the county of Davidson; and,

The bill to alter the name of Jamestown, in the county of Martin, were severally read the second time and passed; the rule being suspended, said bills and resolution were severally read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend the charter of the town of Charlotte, was read the third time and passed, and ordered to be enrolled.

The engrossed resolution in favor of H. S. Smith; and,

The engrossed bill to incorporate the town of Warsaw, were severally read the second time and passed; under a suspension of the rule, said resolution and bill were read the third time, passed, and ordered to be enrolled.

A message from the House of Commons, transmitting the recommendations of sundry justices of the peace, which were read and concurred in.

Sundry recommendations of justices of the peace, were read and accepted, and sent to the House of Commons.

The resolution in favor of J. W. Erwin, was read the second time, amended, and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the trustees of New Institute, in Iredell county, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. McDowell submitted the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing that the two Houses adjourn sine die, on Wednesday the 7th February.

On motion,

Ordered, That said resolution be laid upon the table.

Mr. Coleman introduced a bill for developing the mineral interests of the State, which was read the first time and passed, and referred to the committee on the judiciary.

On motion by Mr. Collins, the Senate adjourned.

FRIDAY, JANUARY 26, 1855.

Mr. Wilder presented a memorial of the stockholders of the Raleigh and Gaston Railroad Company, praying the discontinuance of the bridge across the Roanoke River at Gaston, which was read and ordered to be laid on the table.

Mr. Fisher, from the committee on internal improvements, to whom the same was referred, reported back to the Senate the following bills and recommended their passage, viz:

The bill to incorporate the East Fork Turnpike Company;

The engrossed bill to incorporate the Chatham Railroad Company;

The bill to amend an act entitled an act to incorporate the Oconalufta and Qualla Town Turnpike Company, passed at the session of 1850,-'51; and

The bill to provide for the construction and repairs of public roads. Also,

A resolution in favor of Walter Gwynn, recommending a substitute for the same.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to provide for the better regulation of the town of Louisburg, in Franklin county, reported the same back to the Senate with amendments.

Mr. Graham, from the committee on the judiciary, to whom was referred the bill creating liens on ships, &c., reported the same back to the Senate with an amendment.

Mr. Coleman, from the same committee, to whom was referred the bill to prevent the felling of timber in Jimmie's creek, in the county of Davidson, reported the same back to the Senate and recommended its passage.

Mr. Haughton, from the same committee, to whom was referred the engrossed bill for the protection of sheep, reported the same back to the Senate and recommended its passage.

Mr. Wilder, from the same committee, to whom was referred the bill for developing the resources of the State, reported the same back to the Senate and recommended that it do not pass.

Mr. Eaton, from the same committee, to whom was referred the bill concerning emancipation of slaves, reported the same back to the Senate, and recommended its rejection.

Mr. Morisey, from the committee on corporations, reported favorably on the following bills, viz:

The bill to amend an act passed at the General Assembly of 1846-'7, entitled an act to incorporate the town of Statesville;

The bill relating to roads, bridges and ferries; and

The bill to incorporate the Hodgen Hill Mining Company.

On motion by Mr. Biggs, the Senate took up the engrossed bill to amend an act to define the duties and powers of turnpike and plankroad companies; which was read the third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the Senate's amendments.

Mr. Jones moved to reconsider the vote of yesterday, by which was rejected the engrossed bill to prevent the ranging of stock from any other State or county, in Yancy county, and moved that said motion to reconsider be laid on the table; which was agreed to.

Mr. Haughton introduced a bill to incorporate the Boss Gold and Silver Mining Company, in Davidson county; which was read the first time and passed, and referred to the committee on corporations.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed resolution and bills, in which they ask the concurrence of the House, viz:

A resolution directing the literary board to loan money to Clinton Female Institute, and for other purposes;

A bill to recharter the Bank of Cape Fear;

A bill to incorporate the New River Navigation Company; and

A bill to incorporate the Western North Carolina Railroad. Company.

Mr. Collins introduced a bill to incorporate Franklinton Lodge, No. 123, of free and accepted masons, in the town of Franklinton, county of Franklin; which was read the first time and passed.

Received from the House of Commons sundry recommendations of justices of the peace; which were read and concurred in.

The recommendations of several justices of the peace were read and accepted, and sent to the House of Commons for concurrence.

Received a message from the House of Commons, proposing to raise a joint committee consisting of two on the part of each House, to examine into the business before the General Assembly, and report a time for adjournment.

The proposition was concurred in, and a message sent to the House of Commons, informing that Messrs. McDowell and Haughton form the Senate's branch of the committee on the subject.

Mr. Rayner now moved a reconsideration of the vote by which was passed on yesterday the bill to incorporate the Dan River and Yadkin Railroad Company.

The question on said motion was determined in the negative; yeas 21, nays 23.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Brogden, Cherry, Clark, Drake, Eaton, Eborn, Freeman, Graham, Jones, Lane, McClees, McDowell, Person, Rayner, Sanders, Thomas of Davidson, Wilder, Wiggins, Willey and Winslow of Pasquotank—21.

Those who voted in the negative, are,

Messrs. Bower, Boyd, Christian, Coleman, Collins, Cunningham, Davis, Faison, Fisher, Fonville, Gilmer, Graves, Haughton, Herring, Hoke, Martin, Mitchell, Morisey, Speight, Taylor, Thomas of Jackson, Walker and Wood—23.

So the motion to reconsider was lost.

The bill to provide for the construction and repairs of public roads, was read the second time and amended, and ordered to be laid upon the table.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill concerning fishing in Tar and Pamlico rivers, reported the same back to the Senate, and recommended its rejection.

Mr. Hoke, from the same committee, to whom was referred the bill to amend the constitution and to provide for annual sessions of the General Assembly, reported the same back to the Senate, and recommended its rejection.

Mr. Thomas of Davidson, from the committee on corporations, to whom was referred the bill to incorporate the Yadkin Institute, in the county of Davidson, reported the same back to the Senate, and recommended its passage.

The resolution to authorise the literary board to loan the Franklin Female Academy, in the county of Macon, \$2000, was read the second time and rejected.

But, by motion of Mr. Wilder, the vote by which the same was rejected was re-considered, amended on motion by Mr. Biggs, by authorising a loan of \$1000 to the Williamston Academy, in Martin county; and, on motion by Mr. Hoke, laid on the table.

The bill to amend an act, entitled an act to incorporate the Oconalufta and Quallatown Turnpike Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend an act passed at the session of 1850-'51, entitled an act for the better regulation of the town of Wilson, in the county of Edgecombe, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The resolution in favor of Walter Gwynn, was read the second time.

When, on motion by Mr. Thomas of Jackson, the same was recommitted to the committee on internal improvements, with instructions to state the account, &c.

Mr. Rayner moved for and obtained leave to change his vote on the passage of the bill to incorporate the Dan River and Yadkin Railroad Company.

The Senate now took a recess until 3 o'clock.

Three o'clock, P. M.

The engrossed bill to incorporate the Mutual Fire Insurance Company, in the town of Charlotte, was read the second time and referred to the committee on corporations.

The engrossed bill to incorporate the Yadkin Institute, in the county of Davidson, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill to incorporate Cypress Creek Academy, in Jones county, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend statutes concerning widows was read the second time.

Mr. Biggs offered an amendment as a substitute for the same.

Mr. Ashe moved that the bill and amendment be indefinitely postponed. The motion prevailed; yeas 23, nays 19.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Boyd, Brogden, Christian, Cunningham, Davis, Freeman, Gilmer, Graham, Haughton, Lane, Martin, Mitchell, Rayner, Sanders, Taylor, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, and Winslow of Pasquotank—23.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Cherry, Clark, Coleman, Collins, Eaton, Eborn, Faison, Fisher, Graves, Hoke, Jones, McClees, McDowell, Monsey, Oldfield, Person, and Wood—19.

So the bill was indefinitely postponed.

The bill to amend the law concerning divorce and alimony was read the second time,

And by motion of Mr. Jones, the further consideration of the same was postponed until the 4th day of March next.

Received a message from the House of Commons transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to amend an act entitled an act for the government of the city of Raleigh, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled. Also,

A bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, &c.

Mr. Cherry now called up the bill to repeal an act of the General Assembly passed at its session of 1848-'49, chapter 143.

The question being on the amendment offered by Mr. Wiggins, viz:

"Be it further enacted, That hereafter it shall not be lawful for any one hauling a seine in the waters of the Albemarle and its tributaries, to fish said seine between Saturday sunset and daybreak Monday succeeding of each and every week; and every person offending against the provisions of this act, shall be liable to indictment in the county or superior court of such county as the offence may be committed in, and on conviction shall be fined not more than dollars for each and every offence: Provided, however, That the provisions of this act shall not apply in any case where any seine may be laid out, and cannot in consequence of stress of weather, or other unavoidable cause, be drawn ashore before sunset on Saturday."

Mr. Jones moved that the bill and amendment be postponed until the 4th day of March next.

The motion was lost.

The amendment of Mr. Wiggins, after being amended by the motions of Messrs. Rayner and Willey, was adopted.

The bill then passed its second reading as amended.

Mr. Thomas of Jackson introduced a bill to amend an act incorporating the Tuckasege and Keowee Turnpike Company, in the county of Jackson, which was read the first time, passed, and referred to the committee on internal improvements.

The bill for the better protection of religious assemblies was read the second time and rejected.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill, and recommended its passage, viz:

A bill concerning towns, which was read the first time, amended, and passed.

Mr. Morisey moved an adjournment.

The motion was not carried.

The bill to incorporate the North Carolina Copper Company; and

The bill to incorporate the Fisher Hill Mining Company, were severally read the second time and passed; the rules being suspended, said bills were read the third time, passed, and ordered to be engrossed.

On motion, the Senate adjourned.

SA'TURDAY, JANUARY 27, 1855.

The bill concerning county and superior courts, was read the second time and passed.

Mr. Eaton presented the memorial of sundry persons living near the Raleigh and Gaston Railroad, against the discontinuance of the bridge across the Roanoke river at Gaston, which was ordered to be laid on the table.

Mr. Oldfield a memorial concerning the town of Beaufort, which was referred to the committee on the judiciary.

Mr. Wilder, from the committee on banking, to whom was referred the bill to establish the Central Bank of North Carolina, reported the same back to the Senate, and recommended its rejection.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Beaver Dam, Gold Mountain and Plank-sluicing Company, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Boss Gold and Silver Mining Company, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to amend an act passed by the General Assembly at the session of 1852–'53, entitled an act to incorporate the Salisbury, Mocksville and Wilkesboro' Plankroad Company, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Chapel Hill and Morrisville Plankroad, Tramroad and Turnpike Company, reported the same back to the Senate, with amendments.

Mr. Thomas of Davidson, from the same committee, to whom was referred the bill for the better regulation of the town of Frank-

linsville, in the county of Randolph, reported the same back to the Senate, and recommended its passage.

Mr. Thomas of Davidson, introduced a bill to incorporate the Thomasville and Clemmonsville Turnpike and Plankroad Company, which was read the first time and passed.

Mr. Cherry a bill to improve the navigation of the Roanoke river, which was read the first time and passed, and referred to the committee on internal improvements.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz:

A bill to incorporate the Dan River and Yadkin Railroad Company;

A bill to incorporate the Newbern Mutual Insurance Company;

A bill to incorporate the trustees of New Institute, in Iredell county; and,

A bill to incorporate Clinton Lodge, No. 107, of Ancient York Masons, in Caswell county.

Mr. Graves introduced a bill to incorporate the Dan River Steam Navigation Company, which was read the first time and passed, and referred to the committee on internal improvements.

Received a message from the House of Commons, informing that they have passed the following engrossed bill from the Senate, "concerning mines," with an amendment, in which they ask the concurrence of the Senate.

The amendment was agreed to, and the House of Commons informed thereof by message.

Received a message from the House of Commons, informing that Messrs. Gorrell and Settle constitute their branch of the committee to examine the business of the General Assembly, and report a time for adjournment.

The same message states that the House of Commons have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to incorporate the Wilmington and Charlotte Railroad Company;

A bill to incorporate the Trent River Navigation Company; A bill to incorporate the Guilford Gold and Mining Company; A bill to incorporate the town of Franklin;

A bill concerning hogs running at large in Elizabeth City, &c.;

A bill to alter the times of holding courts in Hyde;

A bill to incorporate Fair Bluff and Conwayborough Plankroad Company; and

A bill to incorporate Fair Bluff and Iron Hill Plankroad Company.

Mr. Cherry moved and obtained leave to change his vote on the passage of the bill to incorporate the Dan River and Yadkin Railroad Company.

The Senate now proceeded to the consideration of the bill to provide for a uniform valuation of the lands within the State, and that the taxes be listed, levied and collected in the same year.

The question being on the passage of the bill upon its second reading,

After the adoption of sundry amendments, proposed by Messrs. Boyd and Haughton,

The bill passed its second reading as amended.

Mr. Coleman introduced a bill, accompanied by a memorial, to alter the line between the counties of Buncombe and Madison, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Haughton, a bill to incorporate the Gulf and Deep River Iron Manufacturing Company, which was read the first time, passed, and referred to the committee on corporations.

The bill creating a lien on ships, steamboats, and other vessels for the recovery of debts thereon was now taken up; the amendment proposed as a substitute by the committee read and adopted, and the bill passed its second reading as amended; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to increase the capital stock of the Fayetteville and Western Plankroad Company was read the third time, passed, and ordered to be engrossed.

Mr. Ashe introduced a bill to authorize Robert L. Steele to establish a public ferry on the Pedee River, in the counties of Anson and Richmond, which was read the first time and passed.

The engrossed bill for the protection of sheep was read the second time.

Mr. Ashe moved to amend the bill by striking out the words "other stock."

Mr. Cherry moved that the bill and amendment be postponed indefinitely.

The motion was lost; yeas 9, nays 31.

Mr. Jones demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Eborn, Faison, Fonville, Freeman, Martin, Morisey, Taylor, and Wiggins—9.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Christian, Clark, Coleman, Collins, Cunningham, Davis, Eaton, Fisher, Gilmer, Graham, Graves, Haughton, Hoke, Jones, Lane, McClees, McDowell, Mitchell, Oldfield, Person, Rayner, Sanders, Thomas of Davidson, Walker, Wilder, and Wood—31.

The question recurring on the adoption of the amendment of Mr. Ashe, the same was rejected.

Mr. Person moved to amend the bill as follows, viz., "That no one shall enjoy the benefit of this act who kills or damages in any manner the dog that killed the sheep."

The amendment was lost.

The question now recurred on the passage of the bill upon its second reading, and was determined in the affirmative; yeas 22, nays 19.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Christian, Coleman, Fisher, Fonville, Gilmer, Graham, Graves, Haughton, Hoke, Jones, Lane, McClees, McDowell, Mitchell, Oldfield, Rayner, Thomas of Davidson, Walker, Wilder, and Wood—22.

Those who voted in the negative, are,

Messrs. Ashe, Boyd, Brogden, Cherry, Clark, Collins, Cunningham, Davis, Eaton, Eborn, Faison, Freeman, Martin, Morisey, Person, Sanders, Taylor, Wiggins, and Willey—19.

So the bill passed its second reading.

Mr. Cherry introduced a bill to incorporate the North Carolina Bible and Baptist Publication Society, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The resignation of James M. Barnes, a justice of the peace for Edgecombe county, was read and accepted.

The engrossed bill to incorporate the Female Benevolent Society of Newbern; and

The engrossed bill to hold court two weeks in New Hanover county, were read the second time and passed; the rule being suspended, said bills were severally read the third time, passed, and ordered to be enrolled.

The bill to incorporate the town of Columbia, in Tyrrell county, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Hodgen Hill Mining Company; and

The bill to incorporate Franklin Lodge, No. 125, of Free and Accepted Masons, in the town of Franklinton, in the county of Franklin, were severally read the second time and passed; the rule being suspended, said bills were read the third time, passed, and ordered to be engrossed.

The engrossed bill for the better regulation of the town of Franklinsville, in Randolph county, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The Senate now took a recess until 3 o'clock.

Three o'clock, P. M.

Mr. Freeman introduced a bill to give two jury trials to the county courts of Stanly county, which was read the first time and passed.

The bill concerning towns was read the second time, amended and passed.

The bill concerning salaries and fees was read the second time, and passed.

The bill to incorporate the Danbury Hydraulic Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Biggs introduced a bill concerning the town of Fayetteville,

which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The bill for the incorporation of the town of Murfreesboro', in the county of Hertford, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Brunswick Savings Institution, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Eaton, the vote by which the bill concerning the town of Fayetteville was passed, was reconsidered, amended by inserting *Wilmington*, passed its third time as amended, and was ordered to be engrossed.

The bill to incorporate the trustees of the Franklinton Male and Female Institutes, in the town of Franklinton, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate East Fork Turnpike Company, was read the second time and passed.

The bill to amend an act passed by the General Assembly at the session of 1852-53, entitled an act to incorporate the Salisbury, Mocksville, and Wilkesboro' Plankroad Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Boss Gold and Silver Mining Company, was read the second time and passed; and the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Jones moved to reconsided the vote by which, on yesterday was rejected, the bill for the better protection of religious assemblies; and moved that said motion be laid on the table, which was agreed to.

The bill to incorporate the Greensboro' and Martin's Lime Kiln Plankroad Company, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Thomasville and Clemonsville Plankroad Company, under a suspension of the rule, was read the second and third time, passed, and ordered to be engrossed. The bill to incorporate the Beaver Dam Gold Mining and plank-sluicing Company, was read the second time and passed. The rule being suspended, said bill was rend the third time, passed, and ordered to be engrossed.

The bill to authorize Robert L. Steele to establish a ferry on the Pedee river, in the counties of Anson and Richmond, under a suspension of the rules, was read the second and third times, passed, and ordered to be engrossed.

The engrossed bill concerning the Wilmington and Raleigh Railroad Company, was read the first time, and passed, and referred to the committee on the judiciary.

The engrossed resolution in favor of Tho's N. Alexander, was read the first time, passed, and referred to the committee on claims.

The engrossed bill to incorporate the Whiteville and Iron Hill Plankroad Company;

The engrossed bill to incorporate the Fair Bluff and Conway-boro' Plankroad Company;

The engrossed bill to alter the time of holding the courts in Hyde; and

The engrossed bill to incorporate the town of Franklin, were severally read the first time and passed.

The rule being suspended, said bills were read the second and third times, and passed, and ordered to be enrolled.

The engrossed bill to change the time for holding the courts of pleas and quarter sessions in the county of Beaufort, was read the first time, and passed.

The engrossed bill concerning hogs running at large in Elizobeth City, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to lay off and establish a county by the name of Wilson, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to incorporate the Wilmington and Charlotte Railroad Company, was read the first time and passed.

The engrossed bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, was read the first time and passed.

And, by motion of Mr. Wood, made the order of the day for Tuesday next.

On motion by Mr. Graham, the Senate now adjourned until Monday morning, 10 o'clock.

MONDAY, JANUARY 29, 1855.

The Speaker announced that Messrs. Wilder, Cherry and Faison, constitute the Senate's branch of the committee on enrolled bills for the present week.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate a Mutual Insurance Fire Company, in the town of Charlotte, reported the same back to the Senate, and recommended its passage.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Little River Company, reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Ordered, That said bill be referred to the committee on internal improvements.

Mr. McDowell, from the select committee, to whom was referred a memorial on the subject, reported sundry resolutions making an appropriation in aid of the Seaman's Friend Society, in Wilmington, which was read the first time and passed.

Mr. Boyd, from the select committee, to whom was referred the resolution directing an inquiry into an alleged mistake or fraud, in enrolling the act of the last session in relation to the 44th and 46th Senatorial districts, &c., made a detailed report thereon, and asked to be discharged from the further consideration of the subject. Discharged accordingly.

The engrossed bill for the relief of the citizens of Iredell county, was read the first time and passed, and referred to the committee on the judiciary.

The recommendation of justices of the peace, for the county of Mecklenburg, was read and accepted, and sent to the House of Commons.

Mr. Hoke introduced a bill to re-charter the Bank of the State of North Carolina, which was read the first time and passed.

The engrossed bill to incorporate the Guilford Gold and Copper Mining Company, was read the first time and passed.

The bill to prevent the felling of timber in Jimmie's creek, in the county of Davidson, was read the second time and passed.

The bill to amend the 6th section of the act, entitled an act concerning wrecks, passed at the present session of the General Assembly, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill concerning the emancipation of slaves, was read the second time, and on motion by Mr. Coleman, ordered to be laid on the table.

The resolution making an appropriation for building a new executive mansion in this State, was read the second time.

Mr. Wilder moved to fill the blank in said resolution with the sum of "five thousand dollars." The motion was lost.

Mr. Biggs moved to amend the resolution, by striking out all after the word, "resolved," and inserting the following, viz:

That the sum of \$5,000 be appropriated for the improvement of the buildings and enclosures of, and the erection of a wing to the executive mansion, to be expended under the direction of the board of public buildings.

On motion by Mr. Hoke, the resolution and amendment were recommitted to the committee on public buildings.

The bill to give two jury trials to the county courts of Stanly county, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to change the time of holding the court of pleas and quarter sessions in the county of Beaufort, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Received from the House of Commons sundry recommendations of justices of the peace, which were read and concurred in.

A message was received from the House of Commons informing that they have passed the following engrossed bill and resolutions, in which they ask the concurrence of the Senate, viz:

A resolution in favor of John Crous; and

A resolution in favor of W. H. Winder; which said resolutions were read the first time and passed, and referred to the committee on propositions and grievances.

A bill to incorporate the Dobbin House Company in the town

of Fayett-ville; which was read the first time and passed, and referred to the committee on corporations.

Mr. Graham now called up for consideration the bill making provision for the reduction of the public debt; which was read the second time.

Mr. Graham moved to amend the bill, by inserting, after the words "Raleigh and Gaston Railroad Company," in the 11th line of the first section, the words "Wilmington and Manchester Railroad Company."

The motion was lost.

Mr. Biggs moved to amend the said section, by inserting, in the 11th line of the same, the words "North Carolina Railroad Company."

The amendment was adopted.

Mr. Clark moved to amend said 1st section, by striking out the words "Wilmington and Raleigh Railroad Company," in the 14th line of the same.

The motion prevailed, yeas 28, nays 12.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Cherry, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Herring, Jones, McClees, McDowell, Martin, Mitchell, Oldfield, Person, Taylor, Walker, Wilder, Wiggins, Willey, and Wood—28.

Those who voted in the negative, are,

Messrs. Ashe, Davis, Fisher, Freeman, Gilmer, Graham, Hoke, Lane, Morisey, Rayner, Tayloe, and Thomas of Jackson—12.

After the adoption of some further amendments, proposed by Mr. Graham, the bill passed its second reading, as amended.

The recommendations of several justices of the peace were read and accepted, and sent to the House of Commons for concurrence.

Mr. Rayner submitted the following resolutions, which were read and adopted, viz:

1. Resolved, That our Senators and Representatives in the Congress of the United States be requested to use their influence towards securing an appropriation by Congress for the purchase

of a site, and the erection of a Marine Hospital, in or near the town of Wilmington in this State.

- 2. Resolved, That the Governor of this State be, and he is hereby requested to forward copies of these resolutions to each one of our Senators and Representatives in the Congress of the United States, with a request that they be laid before their respective Houses.
- 3. Resolved, That, in the event of an appropriation by Congress, for the purposes aforesaid, the Governor of this State be, and he is hereby authorized, to cede to the United States the right of jurisdiction over such land as may be purchased by the authorities of the United States, as a site for the proposed hospital.

Mr. Cherry submitted the following resolutions, viz:

Whereas, the public domain of the United States is the common property of all the States, purchased and procured by the common efforts and common treasure of these States; and in which each and all are fairly entitled to participate; and any appropriation of the public land to particular States is creative of unequal, improper and unjust discrimination in the use of a common fund: And whereas, the precedent has been set, and the practice obtained, in the Congress of the United States, granting immense donations of the public lands to particular States for the purposes of internal improvement, education, &c. And whereas the State of North Carolina, in a spirit of generous patriotism and fraternal feeling, ceded to the General Government, a large and valuable portion of the public territory, and is therefore, upon every principle of justice, equality and sound policy, fairly and legitimately entitled to her share of the public lands: Therefore,

Resolved, That, in behalf of the people of North Carolina, whom we represent, we do solemnly protest against the provisions of a bill recently before Congress, under the imposing but deceptive title of "The Homestead bill," as also against the provisions contained in Senator Hunter's substitute or amendment, as operating gross injustice to the citizens of the old States, being, in a great measure, a gift of the public lands to foreigners, and the citizens of States contiguous to said lands, and to the States in which they are located, to the utter exclusion of North Carolina and the other old States.

Resolved, That our Senators and Representatives in Congress be requested to make application, by bill or otherwise, to that body, for an appropriation to North Carolina of a fair and equitable portion of said public lands, or the proceeds thereof; which, when so appropriated, shall be applied to purposes of internal improvement, education, and in relief of the treasury and public burdens of the State.

The said resolutions were read, and, on motion by Mr. Cherry; ordered to be laid on the table.

Mr. Cherry now moved a suspension of the rules, that the Senate might take up and consider the aforesaid resolutions.

The motion was lost, yeas 18, nays 24.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Clark Collins, Davis, Eborn, Freeman, Gilmer, Graham, Lane, McClees, Mitchell, Rayner, Tayloe, Thomas of Davidson, Wiggins and Willey—18.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Coleman, Cunningham, Drake, Eaton, Faison, Fennel, Fisher, Graves, Herring, Hoke, Jones, McDowell, Martin, Morisey, Oldfield, Person, Taylor, Walker, Wilder, and Wood—24.

The Senate now proceeded to the consideration of the bill to repeal so much of an act passed in 1852, as provides for the appointment of a superintendent of common schools.

The said bill being on its second reading.

Pending the consideration of which, the Senate took a recess until 3 o'clock.

Three o'clock, P. M.

The engrossed bill to incorporate the Trent River Navigation Company, was read the first time and passed.

The engrossed bill to incorporate the Greensboro', Madison, and Virginia Plankroad Company, was read the first time and passed.

The engrossed bill to incorporate the Greenville and French Broad Railroad Company, was read the first time and passed.

The engrossed bill to incorporate the Mutual Insurance Fire

Company, in the town of Charlotte, was read the third time, passed, and ordered to be enrolled.

The Senate now resumed the consideration of the unfinished business of the morning, viz: The bill to repeal so much of an act passed in 1852, as provides for the appointment of a superintendent of common schools,

And the question recurring on the passage of the bill, on its second reading, it was decided in the negative—yeas 12, nays 26.

Mr. Bower demanded the yeas and nays,

Those who voted in the affirmative, are,

Messrs. Bower, Boyd, Brogden, Collins, Drake, Jones, Martin, Oldfield, Sanders, Walker and Wood—12.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Cherry, Christian, Coleman, Cunningham, Davis, Eaton, Eborn, Faison, Fennell, Fisher, Freeman, Gilmer, Graham, Herring, Lane, McClees, McDowell, Mitchell, Morisey, Person, Thomas of Davidson, Wilder, Wiggins and Willey—26.

So the bill was rejected.

The engrossed bill to incorporate the East Fork Turnpike Company, was read the third time, passed, and ordered to be enrolled.

On motion, Mr. Wilder was excused from serving on the committee on enrolled bills, and Mr. Drake appointed in his place.

The bill to establish a new county by the name of Aleghany, was read the second time and rejected; yeas 15, nays 20.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Bower, Boyd, Brogden, Christian, Coleman, Collins, Fennell, Graves, Hoke, Martin, Mitchell, Sanders, Taylor, Thomas of Davidson, and Walker—15.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Clark, Cunningham, Eaton, Eborn, Fonville, Freeman, Graham, Herring, Jones, McClees, Morisey, Oldfield, Person, Tayloe, Wilder, Wiggins, Willey and Wood—20.

The engrossed bill to incorporate the Chapel Hill and Morrisville Plankroad, Tramroad and Turnpike Company, was read the second time.

The amendment proposed by the committee, viz: "strike out the 5th section," was adopted.

The bill then passed its second reading as amended; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Received a message from the House of Commons, that the House branch of the committee on enrolled bills for the present week, consists of Messrs. Barringer, Long, Stubbs, Steele and Gentry.

The engrossed bill concerning fishing on Tar and Pamlico rivers, was now taken up, and recommitted to the committee on the

judiciary.

The engrossed bill to provide for the better regulation of the town of Louisburg, in Franklin county, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The engrossed bill to incorporate the Chatham Railroad Com-

pany, was read the second time, amended, and passed.

The engrossed bill to incorporate the Guilford Gold and Copper Mining Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Greensboro', Madison and Virginia Plankroad Company, under a suspension of the rule, was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Trent River Navigation Company, under a suspension of the rule, was read the second and third time, passed, and ordered to be enrolled.

The bill to prevent the felling of timber in Jimmie's creek, in the county of Davidson, was read the third time, amended, and passed, and ordered to be engrossed.

On motion by Mr. Wiggins, the Senate adjourned.

TUESDAY, JANUARY 30, 1855.

Mr. McDowell, from the committee on corporations, to whom

was referred the engrossed bill to incorporate the Dobbin House Company, in the town of Fayetteville, reported the same back to the Senate, and recommended its passage.

The bill was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Mr. Boyd; from the committee on propositions and grievances, to whom was referred the engrossed bill, to amend an act entitled an act to prevent the obstruction of the passage of fish on the waters of Blount's Creek and its tributaries, reported the same back to the Senate, with amendments.

The bill was read the second time; the amendments agreed to, and the bill passed its second reading as amended; said bill was read the third time and passed; and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

Mr. Cherry, from the committee on swamp lands, to whom was referred the bill to authorize the president and directors of the literary fund, to appoint an agent for the swamp lands, reported the same back to the Senate, and recommended its passage.

The bill was read the second time and passed.

Mr. Fisher, from the committee on internal improvements, to whom was recommitted the resolution in favor of Walter Gwynn, with instructions, &c., made a detailed report thereon, and recommended that the resolution before reported be passed.

The resolution was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The recommendations of sundry justices of the peace, were received from the House of Commons, read, and concurred in.

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill concerning the Wilmington and Raleigh Railroad Company, and

The bill to open Euwharrie river for the free passage of fish, reported said bill back to the Senate, with amendments.

Mr. Hoke, from the same committee, to whom a memorial on the subject was referred, reported a resolution concerning the debt due from the Seaboard and Roanoke Railroad Company, which was read the first time and passed. Mr. Gilmer introduced a resolution in favor of James M. Mc-Gowan, which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Wilder now called up the bill to establish the Central Bank of North Carolina, which was read the second time;

When on motion by Mr. Graham, the further consideration of said bill was postponed until Friday next.

The bill to incorporate the Gulph and Deep River Manufacturing Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill for the relief of the citizens of Iredell county, reported the same back to the Senate, with an amendment.

The bill was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The Senate now proceeded to the consideration of the engrossed bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company.

The bill was read the second time and passed; yeas 36, nays 10.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Brogden, Cherry, Christian, Coleman, Cunningham, Davis, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, Mitchell, Morisey, Oldfield, Rayner, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, and Wood—36.

Those who voted in the negative, are,

Messrs. Bower, Clark, Collins, Eborn, McClees, McDowell, Person, Sanders, Wiggins, and Willey—10.

So the bill passed its second reading.

On motion by Mr. Gilmer,

Ordered, That said bill be referred to the committee on the judiciary.

The engrossed bill to amend an act passed at the General Assembly of 1846,-'47, entitled an act to incorporate the town of Statesville, was read the second time and passed; the rule being suspended, the said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill concerning the Wilmington and Raleigh Railroad Company was read the second time, amended, and passed; the rule being suspended, said bill was read the third time.

Mr. Brogden moved that the bill be laid on the table. The motion was lost.

The bill then passed its third reading, and a message was sent to the House of Commons asking their concurrence in the amendment of the Senate.

The Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

Mr. Thomas of Jackson introduced a bill to appoint a superintendent for the Western turnpike road, and for other purposes.

Also a bill to incorporate the Cheoigh Turnpike Company; and

A bill to incorporate a company to construct a bridge across the Tennessee River, which said bills were severally read the first time, passed, and referred to the committee on internal improvements.

Also a bill to amend an act passed at the session of 1850-'51, entitled an act to incorporate the Tuckasege and Nantahala Turnpike Company, which was read the first time, passed, and referred to the committee on the judiciary.

Also, a memorial on the subject of temperance; and

The memorial of James Taylor and others upon the subject of of a grant heretofore issued by the State, &c., which said memorials were referred to the committee on propositions and grievances.

The bill to open Euwharrie River for the passage of fish was read the second time, amended, and passed; the rule being sus-

pended, said bill was read the third time, passed, and ordered to be engrossed.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill supplemental to an act entitled an act to establish Polk county;

A bill to incorporate a plankroad from Mocksville to Wilkesborough, and to provide for a subscription of stock on the part of the State;

A bill to incorporate the bank of Clarendon, at Fayetteville;

A bill concerning the towns of Fayetteville and Wilmington;

A bill to incorporate the Hodgen Hill Mining Company;

A bill to incorporate Cypress Creek Academy, in Jones county;

A bill to incorporate Franklin Lodge, No. 123, of Free and Accepted Masons, in the town of Franklinton, in the county of Franklin;

A bill to incorporate the Pamlico and Albemarle Insurance Company;

A bill to incorporate the Fisher Hill Mining Company;

A bill to incorporate the North Carolina Copper Company;

A bill to incorporate the town of Columbia, in Tyrrel county;

A bill to incorporate the Silver Hill Mining Company, in the county of Davidson;

A bill to amend an act entitled an act to incorporate the town of Madison, in Rockingham; and

A bill to incorporate the Thomasville and Clemmonsville Turn-pike and Plankroad Company.

Mr. Biggs moved to take up the motion which had been laid on the table, to reconsider the vote by which was rejected the bill to divide the State into eight judicial circuits; which motion was carried.

Mr. Haughton moved that the motion to reconsider be laid on the table; which motion was lost.

On motion by Mr. Thomas, of Jackson, the further consideration of the motion to reconsider was postponed until to-morrow.

The resolution concerning the debt due from the Seaboard and

Roanoke Railroad Company, under a suspension of the rule, was read the second time and passed.

The bill to incorporate the Bank of Wilmington, was read the second time.

Mr. Ashe offered an additional section to the bill, as an amendment; which was agreed to.

On motion by Wilder,

Ordered, That said bill be laid upon the table.

The engrossed bill for the protection of sheep was read the third time.

Mr. Cherry moved to amend the bill, by striking out the third section of the same.

The motion was lost; yeas 14, nays 23.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Cherry, Clark, Cunningham, Eborn, Faison, McDowell, Morisey, Person, Speight, Taylor, Thomas of Jackson, Wiggins and Willey—14.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Collins, Davis, Drake, Eaton, Fennell, Fisher, Gilmer, Graham, Graves, Haughton, Herring, Jones, Lane, McClees, Martin, Mitchell, Oldfield, Walker, Wilder and Wood—23.

So the motion was lost.

Mr. Ashe moved to amend the bill, by striking out the words, "or other stock" in the second line of the 1st section; which motion prevailed; yeas 22, nays 17.

Those who voted in the affirmative, are,

Messrs. Ashe, Boyd, Brogden, Cherry, Clark, Cunningham, Davis, Drake, Eaton, Eborn, Faison, Freeman, Jones, McDowell, Martin, Morisey, Person, Speight, Taylor, Thomas of Jackson, Wiggins and Willey—22,

Those who voted in the negative, are,

Messrs. Biggs, Bower, Collins, Fennell, Fisher, Gilmer, Graham, Graves, Haughton, Herring, Lane, McClees, Mitchell, Oldfield, Walker, Wilder and Wood—17.

So the amendment was adopted.

Mr. Person moved the following proviso, to be added to the third section of the bill, viz:

"Provided, That no one shall be entitled to take benefit under this act, unless upon proof that notice has been given to the owner of any dog of such vicious habits and character."

The amendment was lost; yeas 11, nays 24.

Those who voted in the affirmative, are,

Messrs. Cherry, Faison, Freeman, Morisey, Oldfield, Person, Speight, Taylor, Tayloe, Thomas of Jackson, and Willey—11.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Collins, Cunningham, Davis, Drake, Eaton, Eborn, Fennell, Fisher, Gilmer, Graves, Haughton, Herring, Jones, Lane, McClees, McDowell, Martin, Walker, Wiggins and Wood—24.

The bill now passed its third reading, as amended.

Ordered, That a message be sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The bill to repeal an act of the General Assembly, passed at its session of 1848-'49, chapter 143, was read the third time.

Mr. McClees moved to amend the bill, by striking out the words "and the inlets."

Mr. Willey offered an amendment as a substitute for the bill, as follows, viz:

Strike out all after the enacting clause, and insert,

That it shall not be lawful for any person to fish with a seme, drag or set net in any of the inlets of the Atlantic coast of this State, lying between Ocracoke Inlet and Roanoke Island, nor in that part of Pamlico Sound lying to the north of a line drawn from Portsmouth, in Carteret county, to the mouth of Pungo river, in Hyde county, nor in Croatan, Roanoke, or Albemarle or Currituck Sounds, nor in any water course emptying into either of the said sounds, between sunset on Saturday and twelve o'clock at night on Sunday evening, in each and every week, from the first day of February to the first day of May in every year; and if any person shall so fish in any of the said waters, contrary to the true intent and meaning of this act, every such person, and any other person aiding and assisting therein, shall forfeit and pay for every such offence so unlawfully committed, as follows :- For each time a seine or drag net is so dipped or dragged in any of said waters, in violation of the provisions of this act, two hundred and fifty dollars, to be recovered by any

person suing for the same in any court having competent jurisdiction; and the same shall be applied one half to the use of the informer suing for the same, and the other half to the use of the wardens of the poor of the county wherein such offence is committed; and for any net set as aforesaid the sum of twenty dollars, to be recovered by warrant before any justice of the peace of the county in which such offence is committed, to be applied one-half to the informer suing for the same, and the other half to the use of the wardens of the poor of said county: Provided, nevertheless, That no person shall be liable to the penalties of this act, whose seine happens to be in the water making a haul at sunset on Saturday of any week, if the same is taken in as early thereafter as conveniently practicable, and no other haul be made on the same evening.

Be it further enacted, That it shall not be lawful, in hauling any seine within three miles of the mouth of any river, and within such river emptying into either of said sounds, to sweep more than one-half of the distance across the same; and any person offending against the true intent and meaning of this section shall forfeit and pay the sum of dollars, for each offence, to be recovered before any court having competent jurisdiction thereof, one-half to the use of the informer suing for the same, and the other half to the use of the wardens of the poor in the county where the offence is committed.

Be it further enacted, That all acts and clauses of acts, coming within the meaning and purview of this act, be and the same are hereby repealed."

Mr. Biggs moved that the bill and amendment be indefinitely postponed.

The motion was lost, ayes 16, noes 16.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Coleman, Collins, Cunningham, Eborn, Fennell, Herring, Jones, Oldfield, Person, Speight, Wilder, and Wood—16.

Those who voted in the negative, are,

Messrs. Cherry, Christian, Davis, Eaton, Freeman, Gilmer, Graves, Haughton, Lane, McClees, McDowell Morisey, Thomas of Davidson, Thomas of Jackson, Wiggins, and Willey.—16.

There being a tie, the Speaker voted in the negative.

So the motion to postpone indefinitely did not prevail.

Mr. Jones moved an adjournment, which was not agreed to.

The amendments proposed by Messrs. McClees and Willey were now severally withdrawn; and the bill passed its third reading, and was ordered to be engrossed.

Received a message from the House of Commons, informing that they have passed the following engrossed bill, viz:

A bill concerning the revenue of the State; in which they ask the concurrence of the Senate.

On motion by Mr. Jones, the Senate adjourned.

WEDNESDAY, JANUARY 31, 1855.

On motion, leave was granted to Mr. Lane to change his vote on the passage of the bill to charter the Greensboro' and Fayetteville Railroad Company.

Mr. Person presented a memorial from persons living along the line of the Raleigh and Gaston Railroad, against the discontinuance of the bridge on the Roanoke river, at Gaston, which was ordered to be laid on the table.

Mr. Drake, from the committee on claims, to whom was referred the engrossed resolution in favor of John Crouse, reported the same back to the Senate, with an amendment.

The resolution was read the second time, amended, and passed; the rule being suspended, said resolution was read the third time and passed, and a message sent to the House of Commous, asking their concurrence in the amendment of the Senate.

Mr. Drake, from the same committee, to whom was referred the resolution in favor of Thos. N. Alexander, reported the same back to the Senate, and recommended its passage.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the resolution to loan \$500 by the literary board, to the trustees of Spring Hill Academy, in Robeson county, reported the same back to the Senate, with an amendment.

Mr. Clark, from the same committee, to whom was referred the bill to incorporate the trustees of Woodbourne Female Seminary, in the county of Guilford, reported the same back to the Senate, with amendments.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to improve the navigation of the Roanoke river, reported the same back to the Senate, and recommended its passage.

Mr. Christian, from the same committee, to whom was referred the bill to incorporate the Moore and Montgomery Plankroad Company, reported the same back to the Senate, and recommended its passage.

Mr. McDowell submitted the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing that the two Houses adjourn on Monday the 12th February.

Mr. Mitchell moved to amend the resolution, by striking out "12," and inserting "10."

The motion was lost.

The resolution was then adopted.

Mr. Rayner introduced a resolution in favor of A. J. Perry, late sheriff of Hertford county, which was read the first time and passed; the rule being suspended, said resolution was read the second time and rejected.

On motion by Mr. Coleman, the Senate now took up for consideration, the engrossed bill to incorporate the Greenville and French Broad Railroad Company.

The bill was read the second time.

On motion by Mr. Eaton, the bill was amended in the 21st section of the same, by striking out the words "190," and inserting "99."

After debate, on motion by Mr. Thomas of Jackson, the further consideration of the bill was postponed until to-morrow 10 o'clock.

Mr. Graham, from the committee on the judiciary, to whom was referred the engrossed bill to amend an act, entitled an act, to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, reported the same back to the Senate, with amendments.

The Senate now proceeded to the consideration of the engrossed bill to incorporate the Wilmington and Charlotte Railroad Company,

Which was read the second time and passed—yeas 32, nays 13. Mr. Sanders demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Bower, Boyd, Cherry, Christian, Coleman, Cunningham, Davis, Faison, Fennell, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McDowell, Mills, Mitchell, Morisey, Oldfield, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, and Wood—32.

Those who voted in the negative, are,

Messrs. Biggs, Brogden, Collins, Drake, Eaton, Eborn, Martin, Person, Rayner, Sanders, Wilder, Wiggins, and Willey—13.

So the bill passed its second reading

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill concerning hogs running at large in the streets of Elizabeth City, in the county of Pasquotank, reported the same back to the Senate, and recommended its passage.

Mr. Hoke submitted the following resolution, which lies over one day for consideration, viz:

Resolved, That the sixth rule of the Senate be amended by inserting after the word "adjournment" in the fifth line, the words "and to lay on the table."

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The engrossed bill concerning the revenue of the State was read the first time and passed.

On motion by Mr. Biggs,

Ordered, That the bill be referred to a select committee of three, whose duty it shall be to determine on what parts of the bill shall be printed and to direct the printing of the same.

The Speaker announced that said committee consists of Messrs. Biggs, Wiggins, and Clark.

On motion by Mr. Eaton,

Ordered, That a message be sent to the House of Commons proposing to go into the election of nine directors of the Lunatic Asylum to-morrow at the hour of half past three o'clock, P. M.

Mr. Boyd now called up the bill to provide for a more uniform valuation of the lands within this State, and that the taxes be listed, levied, and collected in the same year, &c.

The bill was read the third time, and

On motion by .Mr. Graham,

Ordered, That said bill be laid on the table.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills and resolutions, in which they ask the concurrence of the House, viz:

A bill to alter the name of the town of Jamestown, in the county of Martin;

A bill to amend an act to incorporate the Oconalufta and Qualla Town Turnpike Company, passed at the session of 1850-'51;

A bill to emancipate James Hostler, a slave;

A bill to encourage agriculture, and for other purposes;

A bill to prevent the felling of timber in Jimmie's creek, in the county of Davidson;

A bill to incorporate the Conrad Hill Gold and Copper Mine, in Davidson county;

A bill to incorporate the North Carolina Bible and Baptist Publication Society;

A bill to amend the 6th section of an act entitled an act concerning wrecks, passed at the present session of the General Assembly;

A bill to give two jury trials to the county courts of Stanly county;

A bill to amend an act passed by the General Assembly at the session of 1852-'53, entitled an act to incorporate the Salisbury, Mocksville, and Wilkesborough Plankroad Company;

A resolution in favor of Colin McRae;

A resolution in favor of J. R. Jones;

A resolution in favor of J. W. Erwin; and

A bill to increase the capital stock of the Fayetteville and Western Plankroad Company.

The engrossed bill concerning hogs running at large in the streets of Elizabeth city, in the county of Pasquotank, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Mr. Davis introduced a bill to incorporate the Marion Gold Mining Company, which was read the first time, passed, and referred to the committee on corporations.

The engrossed resolution in favor of Thomas N. Alexander

was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be enrolled.

The bill to incorporate the trustees of the Woodbourne Female Seminary, in the county of Guilford, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, amended on motion by Mr. Cherry, passed, and ordered to be engrossed.

Sundry recommendations of justices of the peace were received from the House of Commons, read, and concurred in.

On motion by Mr. Martin, the Senate adjourned.

THURSDAY, FEBRUARY 1, 1855.

Mr. Clark, from the committee on education and the literary fund, to whom was referred the bill to limit the term of the chairman of the board of superintendents of common schools, reported the same back to the Senate, and recommended its passage:

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Yadkin Navigation Company, reported a substitute for the same, and recommended its passage.

Mr. Fisher, from the same committee, reported back to the Senate, the following bills, and recommended their passage, viz:

The bill to incorporate the Dan River Steam Navigation Com-

The bill to incorporate the Indian Grave Gap Turnpike Company;

The bill to incorporate the Little River Company;

The bill to amend an act, incorporating the Tuckasege and Keowe Turnpike Company, in the county of Jackson;

The bill to incorporate the Cape Fear and Wacamaw Canal and Lumber Company, in Brunswick county; and,

The bill to incorporate a company to construct a bridge across Tennessee river.

Mr. Fisher, from the same committee, to whom a memorial on the subject was referred, reported a bill to drain and reclaim the swamp lands of Goshen Swamp in Duplin county, and recommended its passage.

Mr. Biggs introduced a bill to incorporate the Hamilton and

Enfield Plankroad Company; which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr Thomas, of Jackson, a bill to provide for completing a survey for a railroad west from the French Broad river to the Tennessee, &c.; which was read the first time and passed, and referred to the committeee on internal improvements.

Mr. Faison, a bill to incorporate the Baptist Church Extension Society of North Carolina; which was read the first time and passed, and referred to the committee on corporations

The resolution of Mr. Hoke, submitted on yesterday, to amend the sixth rule of the Senate, by inserting after the word "adjournment," in the fifth line, the words "and to lay on the table," was now taken up, read and adopted.

The bill to incorporate the Indian Grave Gap Turnpike Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The resolution concerning a Marine Hospital was read the second time.

Mr. Rayner offered the following additional resolution as an amendment; which was adopted, viz:

Resolved, That the real estate and other property belonging to the Seaman's Friends' Society be, and the same is hereby exempted from the payment of State and county taxes for the future.

On motion by Mr. Hoke,

Ordered, That the resolution be laid on the table.

The motion to reconsider the vote by which was rejected the bill to divide the State into eight judicial circuits, was now taken up and agreed to.

The question being on the passage of the bill its third reading, Mr. Person moved to amend the same, as follows, viz:

The first circuit shall be composed of the following counties, and the courts held at the following times:

Tyrrell, on the Monday before the first Monday in March and September;

Washington, on the first Monday in March and September; Bertie, on the second Monday in March and September; Northampton, on the third Monday in March and September; and the balance of the courts in the first circuit, as now provided by law."

Mr. Rayner moved that the bill and amendment be postponed indefinitely; which motion was lost; yeas 21, nays 24.

Mr. Thomas, of Jackson, called for the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Bower, Brogden, Cherry, Collins, Cunningham, Drake, Eborn, Fennell, Fonville, Jones, Lane, McClees, Martin, Mitchell, Oldfield, Rayner, Speight, Thomas of Davidson, Walker, Wiggins and Willey—21.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Boyd, Christian, Clark, Coleman, Eaton, Faison, Fisher, Freeman, Gilmer, Graves, Haughton, Herring, Hoke, McDowell, Mills, Morisey, Person, Sanders, Taylor, Tayloe, Thomas of Jackson, and Wilder—24.

So the Senate refused to postpone indefinitely.

The question on the amendment offered by Mr. Person was now taken, and determined in the negative.

Mr. Ashe offered the following amendment as a substitute for the bill, viz:

A bill concerning the salaries of the judges of the superior courts.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That in all cases where a circuit of the superior courts shall exceed twelve weeks, the judges holding said courts at any regular term shall be entitled to a compensation of ninety dollars for the court of each and every county exceeding twelve, so held by them, and be paid by the public treasurer, on the first days of January and July, in addition to the salary now allowed by law; provided, that each week in which a court shall be held, shall be considered a term.

The question on the adoption of which said amendment was determined in the negative; yeas 14, nays 25.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Clark, Fisher, Freeman, Gilmer, Haughton, Hoke, Martin, Morisey, Rayner, Taylor, Tayloe and Thomas of Davidson—14.

Those who voted in the negative, are,

Messrs. Bower, Boyd, Brogden, Cherry, Christian, Coleman, Collins, Cunningham, Davis, Drake, Eborn, Faison, Fennell, Herring, Jones, Lane, McClees, Mills, Mitchell, Oldfield, Person, Sanders, Speight, Thomas of Jackson, Wilder, Wiggins, Willey and Wood—28.

So the amendment was lost.

Mr. Haughton now moved an amendment as a substitute for the 6th and 7th circuits.

Whereupon Mr. Thomas of Davidson moved that said bill and amendment be postponed until the 4th day of March next.

The motion prevailed; yeas 25, nays 20.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who yoted in the affirmative, are,

Messrs. Bower, Brogden, Cherry, Clark, Collins, Cunningham, Drake, Eborn, Fonville, Graves, Hoke, Jones, Lane, McClees, Martin, Mitchell, Morisey, Rayner, Speight, Taylor, Tayloe, Thomas of Davidson, Wiggins, Willey, and Wood—25.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Boyd, Christian, Coleman, Davis, Eaton, Faison, Fennell, Freeman, Gilmer, Haughton, Herring, McDowell, Mills, Oldfield, Person, Sanders, Thomas of Jackson, and Wilder—20.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to lay off and establish a county by the name of Wilson, reported the same back to the Senate with amendments.

On motion by Mr. Coleman the Senate now proceeded to the consideration of the engrossed bill to incorporate the Greenville and French Broad Railroad Company, said bill being on its second reading.

Mr. Mills moved a reconsideration of the vote by which on vesterday was adopted the following amendment, viz:

In section 21, 3d line, strike out the words "one hundred and ninety" and insert "ninety-nine."

The motion prevailed; yeas 23, nays 15.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Cherry, Coleman, Davis, Faison,

Fennell, Fisher, Freeman, Gilmer, Haughton, Hoke, Jones, McDowell, Mills, Mitchell, Morsey, Person, Rayner, Tayloe, Wilder, and Wood—23.

Those who voted in the negative, are,

Messrs. Ashe, Brogden, Clark, Collins, Cunningham, Drake, Eborn, Herring, Lane, Sanders, Speight, Taylor, Thomas of Davidson, Thomas of Jackson, and Willey—15.

By leave of the Senate the amendment was now withdrawn.

Mr. Thomas of Jackson offered the following amendment as an additional section to the bill, viz:

"Be it further enacted, That the company shall adopt the guage of the North Carolina Railroad within the limits of North Carolina."

Pending the consideration of said amendment, the Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The bill concerning towns was read the third time, amended, passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning the General Assembly was now taken up and passed its second reading; the rule being suspended, said bilt was read the third time, passed, and ordered to be engrossed under the 7th joint rule.

The bill to incorporate the Little River Turnpike Company was read the second time and passed.

The bill to drain and reclaim the swamp lands of Goshen swamp, in Duplin county was read the first time, passed, and referred to the committee on the judiciary.

The bill to incorporate the Dan River Steam Navigation Company was read the second time and passed.

The Senate now resumed the consideration of the unfinished business of the morning, viz., the engrossed bill to incorporate the Greenville and French Broad Railroad Company, the question pending being the amendment proposed by Mr. Thomas of Jackson.

The amendment was rejected; yeas 4, nays 24.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Clark, Thomas of Davidson, and Thomas of Jackson—4.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Cherry, Coleman, Collins, Drake, Eaton, Faison, Fennell, Gilmer, Herring, Jones, Mills, Mitchell, Morisey, Oldfield, Person, Rayner, Sanders, Taylor, Willey, and Wood—24.

Mr. Thomas of Jackson now offered the following amendment, viz:

"Be it further enacted, That the company shall, in the location of the road, adopt the route through the Reedy Patch Gap, in the Blue Ridge, and permit the railroads which may be constructed west to connect with and unite the tracks of the same guage on terms of equality, without any discrimination of freight or travel against the North Carolina roads."

The amendment was lost; yeas 4, nays 24.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Hoke, Thomas of Jackson, and Thomas of Davidson—4.

Those who voted in the negative, are,

Messrs. Ashe, Bower, Coleman, Collins, Cunningham, Eaton, Faison, Fennell, Fisher, Freeman, Gilmer, Haughton, Jones, McClees, Martin, Mills, Mitchell, Morisey, Person, Rayner, Sanders, Taylor, Willey and Wood—24.

Mr. Thomas, of Jackson, now offered the following amendment as an additional section to the bill, viz:

Be it further enacted, That this charter shall not authorize the company to construct the road authorized under this act until the extension of the North Carolina Railroad is first secured to the French Broad river, and the stock subscribed as required by the act of this session, on the part of individuals.

The amendment was rejected; ayes 2, nays 28.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden and Thomas of Jackson-2.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Gilmer, Haughton, Hoke,

Jones, McClees, Martin, Mills, Mitchell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Thomas of Davidson, Wilder and Wood—28.

The question recurring on the passage of the bill its second reading, it was determined in the affirmative; yeas 28, nays 7.

Mr. Thomas, of Jackson, demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Cherry, Coleman, Cunningham, Drake, Eaton, Faison, Freeman, Fisher, Gilmer, Haughton, Herring, Hoke, Jones, McClees, McDowell, Martin, Mills, Mitchell, Morisey, Person, Rayner, Taylor, Thomas of Davidson, Wilder and Wood—28.

Those who voted in the negative, are,

Messrs. Brogden, Collins, Lane, Oldfield, Sanders, Thomas of Jackson, and Wiggins—7.

So the bill passed its second reading.

The Senate now proceeded to the consideration of the bill to recharter the Bank of the State of North Carolina; which was read the second time.

Mr. Biggs, moved to amend the first section of the bill as follows, viz:

Strike out "1890," as the time of limiting the charter, and insert "1875."

Mr. Clark moved to amend the amendment, by striking out "1875," and inserting "1880."

Mr. Wilder called for a division of the question, which was ordered; and the question being first taken on striking out, it was determined in the negative; yeas 18, nays 19.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Collins, Drake, Eaton, Eborn, Graves, Herring, Jones, McClees, Martin, Mitchell, Oldfield, Speight and Wood—18.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Coleman, Cunningham, Faison, Freeman, Gilmer, Graham, Haughton, Mills, Morisey, Rayner, Taylor, Tayloe, Thomas of Davidson, Wilder, Wiggins and Willey—19.

So the Senate refused to strike out.

On motion, the vote just taken was reconsidered, and the ques-

tion recurring on the amendment to the amendment, proposed by Mr. Clark, the same was rejected.

By leave of the Senate, Mr. Biggs' amendment was withdrawn.

Mr. Graham now moved to amend the bill, by striking out "1890" and inserting "1885."

The amendment was agreed to.

On motion the Senate adjourned.

FRIDAY, FEBRUARY 2, 1855.

Mr. Walker introduced a bill, accompanied by a memorial, to prohibit the trading with slaves in the county of Mecklenburg; which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Clark, from the committee on education and the literary fund, to whom was referred a memorial concerning common school teachers, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Ashe introduced a bill concerning the salaries of the superior court judges; which was read the first time and passed.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of the Commons, viz:

A bill concerning the General Assembly; and

A bill concerning towns.

The Senate now resumed the consideration of the unfinished business of yesterday, viz:

The bill, on its second reading, to recharter the Bank of the State of North Carolina.

After the adoption of sundry amendments proposed by Mr. Wilder,

Mr. Biggs moved to amend the bill, by adding the following to the 32d section, viz:

And the bank shall not pay out any note or bill of any other bank, of a less sum than five dollars, unless in settlement with the bank issuing such bills.

The amendment was adopted; yeas 24, nays 21.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Fennell, Fisher, Graves, Herring, Jones, Mitchell, Oldfield, Person, Sanders, Speight, Taylor, Wilder, Willey and Wood—24.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Faison, Freeman, Gilmer, Graham, Haughton, Hoke, Lane, McClees, McDowell, Martin, Mills, Morisey, Rayner, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker and Wiggins—21.

The bill being further amended by the several motions of Messrs. Biggs, Wilder and Wiggins,

Mr. Ashe offered the following amendment, as an additional section to the bill, viz:

Be it further enacted, That when the principal bank, or any of its branches, shall make any demand upon any other bank, it shall be lawful for such bank, upon which such demand is made, to pay and satisfy said demand, or any part thereof, with the notes or bills of the bank making the demand, no matter where payable and demandable.

The question, Shall the amendment be adopted? was determined in the affirmative; yeas 27, nays 11.

Mr. Graham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Eborn, Faison, Fennell, Freeman, Graves, Herring, Jones, McDowell, Mitchell, Morisey, Oldfield, Person, Sanders, Speight, Thomas of Jackson, Walker and Wood—27.

Those who voted in the negative, are,

Messrs. Cherry, Gilmer, Graham, Haughton, Lane, McClees, Rayner, Taylor, Tayloe, Thomas of Davidson and Wilder—11.

Mr. Graves moved the following as an additional section, viz:

That in consideration of the privileges and powers granted by this charter, the stockholders aforesaid, shall pay to the State the sum of twenty-five thousand dollars.

The amendment was lost; yeas 12, nays 31.

· Mr. Graves demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Coleman, Collins, Drake, Fisher, Graves, Hoke, Martin and Mitchell—12.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Cunningham, Eaton, Eborn, Faison, Fennell, Freeman, Gilmer, Graham, Haughton, Herring, Jones, Lane, McClees, McDowell, Mills, Morisey, Oldfield, Rayner, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Walker, Wilder, Wiggins, Willey and Wood—31.

The bill now passed its second reading as amended.

Mr. Wilder, from the committee on the judiciary, to whom was referred the bill to alter the line between the counties of Buncombe and Madison, reported the same back to the Senate, and recommended its rejection.

Mr. Haughton introduced a bill concerning the registration of leases, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Cunningham introduced a bill supplemental to an act passed at the present session of the General Assembly incorporating the town of Roxborough, in the county of Person, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of Robert Martin, of Cherokee, reported the same back to the Senate with an amendment.

The bill concerning the salaries of certain officers having been read the second time,

Mr. Ashe moved to amend that part of the bill increasing the compensation allowed the judges of the superior courts by inserting the bill introduced by him this day, and which had been offered on yesterday as an amendment to the bill to divide the State into eight judicial circuits.

The amendment was adopted, and the bill passed its second reading as amended.

The bill to incorporate the Bank of Wilmington was read the second time and amended by the several motions of Messrs, Fen-

nell, Wilder, and Clark, and the question, Shall the bill pass its second reading as amended? was determined in the affirmative; yeas 24, nays 12.

Mr. Mitchell demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Cherry, Christian, Clark, Coleman, Drake, Eborn, Faison, Fennell, Freeman, Gilmer, Herring, Jones, Lane, McDowell, Martin, Morisey, Oldfield, Tayloe, Thomas of Davidson, Thomas of Jackson, and Wood—24.

Those who voted in the negative, are,

Messrs. Bower, Collins, Cunningham, Eaton, Graham, Graves, Mitchell, Rayner, Speight, Taylor, Wilder, and Willey—12.

The Senate now took up for consideration the resolutions concerning a marine hospital.

The question being on the passage of the resolutions their second reading,

Mr. Biggs called for a division of the question, and moved that the vote be taken on the resolutions separately, which was ordered accordingly.

And the question being taken on the first, second, and third resolutions separately, they were severally rejected.

The fourth, fifth, and sixth resolutions were severally read separately and passed their second reading.

The bill to incorporate the Dan River Steam Navigation Company was read the third time, amended, passed, and ordered to be engrossed.

Mr. Rayner introduced a resolution authorizing a loan of \$5,000 by the literary board to the trustees of the Seamen's Friends' Society, which was read the first time and rejected.

The Senate now took a recess until 3 o'clock.

Three o'clock, P. M.

Mr. Biggs, from the committee on the Revised Statutes, reported the following bill and recommended its passage, viz:

A bill concerning the revised code, which was read the first time and passed; the rule being suspended, said bill was read the second time, amended, and passed; the bill was read the third time, under a suspension of the rule, amended, passed, and ordered to be engrossed under the 7th joint rule.

The engrossed bill to lay off and establish a county by the name of Wilson was read the second time; the amendment proposed by the committee amended on motion by Mr. Drake, and adopted as amended.

The question, Shall the bill pass its second reading? was determined in the affirmative; yeas 30, nays 4.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Cherry, Clark, Cunningham, Eaton, Faison, Fennell, Fisher, Gilmer, Graham, Graves, Herring, Hoke, Jones, McClees, Martin, Mitchell, Morisey, Oldfield, Rayner, Speight, Thomas of Jackson, Walker, Wilder, Wiggins, Willey, and Wood—30.

Those who voted in the negative, are,

Messrs. Ashe, Collins, Drake and Taylor-4.

So the bill passed its second reading as amended; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The bill making provision for the reduction of the public debt, was read the third time, amended on motion by Mr. Biggs, by striking out "North Carolina Railroad Company," and passed, and ordered to be engrossed.

The bill to authorise the president and directors of the literary fund, to appoint an agent for the swamp lands, was read the third time, amended, and passed, and ordered to be engrossed.

The engrossed bill to incorporate the Little River Turnpike Company, was read the third time, passed, and ordered to be enrolled.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill, in which they ask the concurrence of the House, viz:

A bill supplemental to the act incorporating Roxborough, in Person county.

The engrossed bill concerning agriculture and geology, was now taken up.

The pending question being on the amendment proposed by the House of Commons, viz:

Strike out the 11th, 12th, 13th and 14th sections, and the words, "and geology," in the title.

Mr. Graham moved that the Senate disagree to said amendment.

And the question being taken thereon, it was determined in the affirmative; yeas 18, nays 15.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Clark, Faison, Fennell, Gilmer, Graham, Graves, Haughton, Lane, Person, Rayner, Sanders, Speight, Thomas of Davidson, Thomas of Jackson, Wilder and Wiggins—18.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Collins, Cunningham, Drake, Eaton, Herring, Jones, McClees, Morisey, Oldfield, Taylor and Walker—15.

So the Senate disagreed to said amendment, and the House of Commons were informed thereof by message.

The engrossed resolution in favor of Robert Martin, was read the second time, amended, and passed; and the rule being suspended, said resolution was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The engrossed bill in favor of Wm. N. Brooks, was read the second time, the substitute proposed, agreed to, and the bill passed its second reading; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The engrossed bill to incorporate the Cape Fear and Wacamaw Canal and Lumber Company, in Brunswick county, was read the second time and passed.

Mr. Rayner introduced a bill in regard to Burke square, in the city of Raleigh, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

On motion by Mr. Gilmer, the Senate adjourned.

SATURDAY, FEBRUARY 3, 1855.

Mr. Oldfield introduced a bill, accompanied by a memorial, to annex a part of Onslow county to the county of Jones, which

was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Person introduced two memorials in relation to the bridge over the Roanoke River, at Gaston, which were ordered to be laid on the table.

Mr. Wilder, from the committee on public buildings, to whom was referred, with instructions, a resolution making an appropriation for building an executive mansion in this State, reported a substitute for the same which was adopted and passed its second reading; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

Mr. Wiggins submitted the following resolution, which lies over one day for consideration, viz:

Resolved, That no bill, public or private, be introduced in this body after Thursday, the 8th instant.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Baptist Church Extension Society of North Carolina, reported the same back to the Senate without amendment.

Mr. Wilder introduced a bill in relation to burnt deeds, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Fennell, a bill to empower the town of Wilmington to establish streets in said town, and for other purposes, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Cherry, a bill to incorporate the Albemarle and Pamlico Railroad Company, which was read the first time and passed.

Mr. Drake, a bill to incorporate the Rocky Mount and Franklin Railroad Company, which was read the first time and passed.

Mr. Martin, a bill to incorporate the Salem Savings Institute, which was read the first time, passed, and referred to the committee on corporations.

Mr. Fisher, a bill to incorporate the Yadkin Manufacturing Company, which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Person the Senate now took up for consideration the resolution concerning the debt due from the Seaboard and Roanoke Railroad Company, which was read the third time.

Mr. Person moved to amend the resolution as follows, viz: strike out all after the word "Resolved" and insert the following:

"That upon said company's paying the bond due the 3d day of January, 1853, on the 3d day of January, 1857, together with the interest thereon, the public treasurer is hereby authorized to grant the said company the further time of four years in which to pay the bond due on the 3d of January, 1855."

Mr. Rayner offered the following resolution as an amendment to the amendment, viz:

"Resolved, further, That the public treasurer be authorized and directed to subscribe for stock in the Seaboard and Roanoke Railroad Company to the amount of debt due by said company to the State, at or before the time the first instalment as hereby provided shall fall due, in case said Seabord and Roanoke Railroad Company shall signify a wish to pay their debt in that way."

The amendment to the amendment was rejected.

The amendment of Mr. Person was then adopted, and the resolution as amended passed its third reading and was ordered to be engrossed.

On motion by Mr. Rayner the vote on the passage of the bill in regard to Burke square, in the city of Raleigh, was reconsidered.

Whereupon, said bill was amended, passed its third reading as amended, and ordered to be engrossed.

Mr. Christian called up the bill to incorporate the Moore and Montgomery Plankroad Company, which was read the second time and passed.

Mr. Haughton submitted the following resolution, viz:

Resolved, (the House of Commons concurring) The principal engrossing clerk be authorized to employ such additional assistance as may be necessary to enable him to perform in time the business of his office.

The resolution was read the first time and passed; the rule being suspended said resolution was read the second and third time, passed, and ordered to be engrossed.

Mr. Thomas of Jackson, from the committee on internal improvements, to whom was referred the bill to incorporate the Danville and Greensborough Railroad Company, reported the same back to the Senate with an amendment.

Mr. Thomas of Jackson, from the same committee, to whom was referred the bill to provide for completing a survey of a railroad west from the French Broad River to the Tennessee line, at or near the Duck Town Copper Mines, reported the same back to the Senate and recommended its passage.

On motion by Mr. Mitchell, the Senate now proceeded to the consideration of the bill to incorporate the Yadkin Navigation Company, which was read the second time, amended by adopting the substitute proposed by the committee, and passed.

The bill to incorporate the Baptist Church Extension Society of North Carolina, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, informing that they have passed the engrossed bill to incorporate the New River Navigation Company, with amendments, in which they ask the concurrence of the Senate; the amendments were agreed to, and the House of Commons informed thereof by message.

Received a message from the House of Commons, concurring in the amendment of the Senate to the engrossed bill to provide for the better government of the town of Louisburg, in Franklin county. Ordered that said bill be enrolled.

The bill to recharter the Bank of the State of North Carolina, was read the third time, passed, and ordered to be engrossed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of W. H. Winder, reported the same back to the Senate, and recommended its passage.

On motion, leave of absence was granted to Mr. Mills for two weeks from and after Monday next.

Mr. Walker introduced a bill to increase the capital stock of the Bank of Charlotte; which was read the first time and passed.

The bill concerning the salaries of certain officers was now taken up, read the third time, and passed; yeas 28, nays 7.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Cherry, Clark, Coleman, Collins, Drake, Fennell, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Jones, McClees, McDowell, Mills, Mitchell, Morisey,

Person, Rayner, Speight, Tayloe, Thomas of Davidson, Walker and Wood—28.

Those who voted in the negative, are,

Messrs. Bower, Cunningham, Martin, Oldfield, Sanders, Wiggins and Willey—7.

So the bill passed its third reading.

On motion by Mr. Rayner, the vote by which said bill passed was reconsidered.

Whereupon, Mr. Rayner moved to amend the bill, so as to allow the clerk of the treasury department a salary of seven hundred and fifty dollars.

The amendment was adopted, and the bill passed its third reading, as amended; yeas 28, nays 7.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Cherry, Coleman, Collins, Faison, Fennell, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Jones, Lane, McClees, McDowell, Mitchell, Morisey, Person, Rayner, Speight, Taylor, Thomas of Davidson, Walker and Wood—28.

Those who voted in the negative, are,

Messrs. Bower, Brogden, Cunningham, Oldfield, Sanders, Wiggins and Willey—7.

Ordered, That said bill be engrossed.

On motion by Mr. Graham, the vote by which on yesterday certain resolutions concerning the Marine Hospital, was rejected, was reconsidered.

On motion by Mr. Haughton,

Resolved, That when the Senate adjourns it adjourn until Monday morning 10 o'clock.

The engrossed resolution in favor of W. H. Winder was read the second time and laid on the table.

On motion, said resolution was taken up, amended, and passed its second reading, as amended; the rule being suspended, said resolution was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Received a message from the House of Commons, transmit-

ting the following engrossed bills and resolution, in which they ask the concurrence of the Senate, viz:

A bill to establish the town of Magnolia, in the county of Duplin, and to incorporate the commissioners of said town; which was read by its title, and referred to the committee on propositions and grievances.

A bill to extend the corporate limits of the town of Franklinton, in the county of Franklin; which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

A bill to incorporate the Randolph and Thomasville Turnpike or Plankroad Company; which was read the first time and passed.

A bill to incorporate the Central Gold and Copper Mining Company of North Carolina, which was read the first time and passed; the rule being suspended, said bill was read the second time.

A bill to amend the charter of the Milton Savings Institute, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

A resolution in favor of N. W. Woodfin and R. V. Blackstock, which was read the first time and passed, and referred to the committee on propositions and grievances.

Also a bill to regulate the inspection of flour in the town of Fayetteville.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to authorize the construction of dams across the French Broad river, in the counties of Henderson, Buncombe and Madison, reported the same back to the Senate, with amendments.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Chioih Turnpike Company, reported the same back to the Senate, and recommended its passage.

The engrossed bill to incorporate the Cape Fear and Wacamaw Canal and Lumber Company, in Brunswick county, was read the third time, passed, and ordered to be enrolled.

The recommendations of sundry justices of the peace, were read and accepted.

On motion, Mr. Person was added to the committee on propositions and grievances.

Mr. Thomas, of Jackson, introduced a bill to incorporate the North Carolina Central Atlantic and Pacific Railroad Company, which was read the first time and passed, and ordered to be printed.

Received a message from the House of Commons, stating that the House recedes from its amendment to the bill concerning usury.

Also, that the House concurs in the amendment proposed to the bill to amend an act, entitled an act to define the duties and powers of turnpike and plankroad companies.

The bill for the relief of the citizens of Iredell county;

The bill to incorporate the Chapel Hill and Morrisville Plankroad, &c.;

The bill to amend an act, entitled an act to prevent the obstruction to the passage of fish in the waters of Blount's creek, &c.; and

The bill to amend an act passed at the session of 1850-'51, for the better regulation of the town of Wilson.

Ordered, That said bills be enrolled.

The Senate now adjourned until Monday morning 10 o'clock.

MONDAY, FEBRUARY 5, 1855.

The Speaker announced that the Senate's branch of the committee on enrolled bills for the present week, consists of Messrs. Boyd, Freeman and Thomas of Davidson.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills and resolutions, in which they ask the concurrence of that body, viz:

A bill to repeal an act passed at the session of 1848-'49, chapter 143;

A bill to authorize Robert L. Steele to establish a public ferry on the Pee Dee river;

A resolution concerning a Marine Hospital in the town of Wilmington;

A bill to incorporate the trustees of Franklinton Male and Female Institute;

A bill to incorporate the Beaverdam Gold Mountain Vain Mining and Plank Sluicing Company;

A bill to incorporate the Boss Gold and Silver Mining Company;

A bill for the incorporation and better regulation of the town of Murfreesboro', in the county of Hertford;

A bill to incorporate the Buncombe Savings Institute;

A bill creating liens on ships:

A bill to incorporate the Danbury Hydraulic Company;

A bill to incorporate the Greensboro' and Martin's Lime Kiln Plankroad Company;

A bill to incorporate the Gulph and Deep River Iron Manufacturing Company;

A bill to open Euwharrie river, for the free passage of fish;

A bill to incorporate the trustees of Woodbourne Female Seminary, in the county of Guilford;

A bill to incorporate Enfield Plankroad Company; and

A resolution concerning the engrossing clerk.

Mr. McClees introduced a bill in favor of Robert M. Burruss; which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Thomas, of Davidson, introduced a bill to incorporate the Lexington and North Carolina Railroad Company; which was read the first time and passed, and referred to the committee on internal improvements.

On motion of Mr. Biggs,

Resolved, That a message be sent to the House of Commons, proposing to modify the 6th joint rule of the two Houses, by adding to the said rule the following proviso:

Provided, however, That where a private bill shall have passed both Houses, and the engrossed bill has not been amended or modified in its passage, then such engrossed bill, having no interlineations or erasures, may be used as the enrolled bill; and upon being duly examined and certified, shall be presented for ratification.

Mr. Coleman introduced a bill to incorporate the Nantahala Gold and Copper Mining Company of western North Carolnia; which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Wood, the Senate now took up for consideration the engrossed bill to amend an act to incorporate the At-

lantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company; which said bill was read the third time.

The following amendments proposed by the committee, were severally read and adopted, viz:

In last line of section third strike, out "bona fide" and insert after "stockholders" the words "of at least five shares."

In the last line of the 5th section strike out "the stock subscribed by," and insert "to the payment required of."

Add to section 9th, "or shall be added to a sinking fund, which may be established by the General Assembly."

The following amendment was also adopted, viz:

Be it further enacted, That this act shall be in force from its ratification.

The other amendments proposed by the committee were severally rejected.

Mr. Oldfield moved to amend the bill as follows:

That the 1st section of the said act be so amended as to insert "by the way of Trenton."

The amendment was lost.

The question now recurring on the passage of the bill its third reading, as amended, it was determined in the affirmative; yeas 34, nays 11.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Brogden, Cherry, Christian, Coleman, Davis, Eaton, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, Mitchell, Morisey, Oldfield, Rayner, Speight, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker, Wilder and Wood—34.

Those who voted in the negative, are,

Messrs. Bower, Clark, Collins, Cunningham, Drake, Mc-Dowell, Martin, Person, Sanders, Wiggins, and Willey-11.

So the bill passed its third reading as amended.

Ordered, That a message be sent to the House of Commons asking their concurrence in the amendments of the Senate.

Received a message from the House of Commons stating that

they concur in the amendments of the Senate to the engrossed bill to incorporate the town of Lenoir, in Caldwell county.

Ordered, That said bill be enrolled.

The resolution of Mr. Wiggins submitted on Saturday last was now taken up, read, and adopted as follows, viz:

Resolved, That no bill, public or private, be introduced in this body after Thursday, the 8th instant.

The Senate now proceeded to the consideration of the engrossed bill to incorporate the Wilmington and Charlotte Railroad Company, which was read the third time and passed; yeas 29, nays 15.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Bower, Boyd, Cherry, Christian, Coleman, Davis, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, McDowell, Mitchell, Morisey, Oldfield, Speight, Tayloe, Thomas of Jackson, Walker and Wood—29.

Those who voted in the negative, are,

Messrs. Biggs, Brogden, Collins, Cunningham, Drake, Eaton, Graham, Martin, Person, Rayner, Sanders, Thomas of Davidson, Wilder, Wiggins and Willey—15.

So the bill passed its third reading and was ordered to be enrolled.

The engrossed bill to incorporate the Fayetteville Female High School was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

Mr. Rayner moved that the Senate do now take up for consideration the bill to incorporate the Greenville and French Broad Railroad Company.

Mr. Thomas of Jackson moved to lay the motion on the table, which motion was lost; yeas 18, nays 21.

Mr. Thomas of Jackson demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Boyd, Brogden, Clark, Fonville, Gilmer, Graves, Haughton, Herring, Lane, McDowell, Martin, Sanders, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, and Wiggins—18.

Those who voted in the negative, are,

Messrs. Bower, Cherry, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Freeman, Hoke, Jones, McClees, Mitchell, Morisey, Oldfield, Person, Rayner, Speight, Willey, and Wood—21.

The bill was now taken up and ordered to be laid on the table.

Received a message from the House of Commons announcing that Messrs. Jordan, Phillips, Outlaw, Williams of New Hanover, and Mebane, constitute the House branch of the committee on enrolled bills for the present week.

Mr. Speight introduced a bill, accompanied by a memorial, to incorporate the Contentnea Railroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

Received a message from the House of Commons stating that they have passed the engrossed bill to incorporate the McCulloch Copper Mining Company with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

The following engrossed bills were severally read the first time and passed, viz:

The bill to incorporate the Springfield institute, in the county of Wake;

The bill to amend an act entitled an act to incorporate the town of Graham, in the county of Alamance, passed at the session of 1850-'51;

The bill to incorporate the Yadkin Lodge of Free Masons, in the town of Yadkinville;

The bill to incorporate the town of Nebraska;

The bill to incorporate the town of Snow Hill, in Greene county;

The bill to incorporate the Alexander Railroad Company;

'The bill to incorporate the United Baptist Institute in the town of Taylorsville;

The bill to incorporate the Randolph and Thomasville Turnpike or Plankroad Company;

The bill to lay off a public road in the county of Ashe;

The bill to increase the compensation of jurors and witnesses in the county of Washington;

The bill to incorporate the Stokes Iron Mining Company;

The bill to amend an act entitled an act to provide for the better government of the town of Lincolnton, and to amend the existing laws of said town passed at the session of 1852; and

The bill to amend an act, entitled an act to enlarge the powers of the commissioners of the town of Newbern.

The rule being suspended, said bills were severally read the second and third time, passed, and ordered to be enrolled.

Mr. Rayner introduced a bill to incorporate the Shocco Springs Company, in the county of Warren, which was read the first time, passed, and referred to the committee on the judiciary.

Also, a bill to incorporate the trustees of the Mariners' Orphan Asylum, in the county of Carteret, which was read the first time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the bill to establish the town of Magnolia, in Duplin, and to incorporate the commissioners of said town, reported the same back to the Senate, and recommended its passage.

The engrossed resolution in favor of Abner Walker, guardian, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to establish a public road from Wm. Phillips' to the stage road, at or near Jonas Buckett's, in Ashe county, was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

The engrossed bill to prevent the felling of timber in Big and Little Ivy, was read the first time and passed, and referred to the committee on the judiciary.

The engrossed bill to authorize the construction of a toll bridge across the Yadkin river, near Jonesville, was read the first time and passed.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The bill concerning idiots and lunatics, was taken up, read the third time, amended, and passed as amended; and ordered to be engrossed under the 7th joint rule.

Mr. Haughton introduced a bill to authorize the State of North Carolina, to transfer her stock in the Cape Fear Navigation Company, and for other purposes, which was read the first time and passed; the rule being suspended, said bill was read the second time and passed, and referred to the committee on internal improvements.

Mr. Wood introduced a bill to incorporate the Union Bank, which was read the first time, passed, and referred to the committee on banking.

The bill concerning county and superior courts, was read the third time, amended, and passed, and ordered to be engrossed under the 7th joint rule.

The bill concerning salaries and fees was read the third time, amended, and passed as amended, and ordered to be engrossed under the 7th joint rule.

The bill to authorise the construction of dams across the French Broad river, in the counties of Henderson, Buncombe and Madison, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the bank of Wilmington, was read the third time, amended by motion of Mr. Ashe, and passed as amended, and ordered to be engrossed.

The bill to increase the capital stock of the Bank of Charlotte, was read the second time and passed.

The engrossed bill to incorporate Yadkin Institute, in the county of Yadkin, was read the first time, passed, and referred to the committee on education and the literary fund.

The engrossed bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company, was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

The bill was read the third time, under a suspension of the rule, amended on motion by Mr. Fisher, and passed its third reading as amended, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The engrossed bill to enable the county court of Iredell county to collect the State and county taxes for the year 1855; and

The engrossed bill to regulate the inspection of flour in the

town of Fayetteville, were read the first time and passed; the rule being suspended, said bills were severally read the second and third time, passed, and ordered to be enrolled.

The bill to incorporate the Chioih Turnpike Company, was read the second time and passed.

The engrossed bill to establish the town of Magnolia, in the county of Duplin, and to incorporate the commissioners of said town, was read the first time and passed; the rule being suspended, said bill was read the second and third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, and ask the concurrence of the House therein, viz:

A bill concerning idiots and lunatics;

A bill concerning county and Superior courts; and

A bill concerning salaries and fees.

The bill to incorporate the Albemarle and Pamlico Railroad Company, was read the second time and passed.

The bill to incorporate a company to construct a bridge across the Tennessee river, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

On motion by Mr. Thomas, of Davidson,

Resolved, (the House of Commons concurring,) That a committee of two on the part of the Senate, and two on the part of the House of Commons, be appointed to enquire into the expediency of appointing a State Engineer to superintend all the public improvements of the State, and to enquire into the economy of such an appointment; and that they report as early as practicable, by bill or otherwise.

The bill to amend an act incorporating the Tuckasege and Keowee Turnpike Company, in the county of Jackson, was read the second time and rejected.

On motion by Mr. Wood, the vote just taken was reconsidered, and the bill ordered to be laid on the table.

The engrossed bill to incorporate the Greenville and French Broad Railroad Company, was now taken up and read the third time.

Whereupon, on motion, the Senate adjourned.

TUESDAY, FEBRUARY 6, 1855.

Mr. Clark presented the memorial of W. D. Cooke, in relation to a map of the State.

Whereupon, it was ordered that a message be sent to the House of Commons, proposing to raise a joint select committee of three on the part of each House, to whom the memorial shall be referred, and whose duty it shall be to report thereon, by bill or otherwise.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill concerning fishing on Tar and Pamlico rivers, reported the same back to the Senate, and recommended its rejection.

Mr. Hoke, from the same committee, to whom was referred the bill to drain and reclaim the swamp lands of Goshen Swamp, in Duplin county; and

The resolution in favor of R. M. Burruss, of Hyde county, reported the same back to the Senate, and recommended their passage.

Mr. Wilder, from the same committee, to whom was referred the bill to empower the commissioners of Wilmington to establish streets, and for other purposes, reported the same back to the Senate, and recommended its passage.

Mr. Eaton, from the same committee, to whom was referred the bill further to prohibit trading with slaves in the county of Mecklenburg, reported the same back to the Senate, and recommended its rejection.

Mr. Graham, from the same committee, to whom was referred the bill in relation to burnt deeds, reported a substitute for the same, and recommended its passage.

Mr. Graham, from the same committee, to whom the subject was referred, reported a bill concerning lands covered by water; which was read the first time and passed.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to incorporate the Contentnea Railroad Company, reported the same back to the Senate, with amendments.

Mr. Fisher, from the same committee, to whom was refeered the bill to incorporate the Lexington and North Carolina Railroad Company, reported the same back to the Senate, with amendments.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Nantahala Gold and Copper Mining company, of western North Carolina, reported the same back to the Senate, with amendments.

Mr. McDowell, from the same committee, to whom was referred the bill to incorporate the Yadkin Manfacturing Company, and

The bill to incorporate the Marion Gold Mining Company, reported said bills back to the Senate and recommended their passage.

Mr. McClees submitted the following resolution, viz:

Resolved, That the judiciary committee be instructed to enquire whether the Farmer's Bank of Elizabeth City has violated its charter in issuing certificates of deposite to circulate as money, of a less denomination than three dollars; and if the said committee shall be of opinion that the said bank has violated its charter in the said particular, or in any other manner, they are hereby instructed to report a resolution instructing the attorney general to institute legal proceedings against the said bank for such violation of its charter.

Mr. Person moved the following amendment to said resolution, viz:

Resolved, further, That the said judiciary committee be further instructed to enquire whether the Mutual Insurance Company, at Greensborough, has violated its charter in issuing similar certificates, or in any other manner; and if said committee are of opinion that said company has violated its charter, they are instructed to report a similar resolution in reference to said company.

The amendment was agreed to, and the resolution adopted as amended.

Mr. Person submitted the following resolution, which was read the first time and passed, viz:

Resolved by the General Assembly of the State of North Carolina, and it is hereby resolved by the authority of the same, That the public treasurer be, and he is hereby directed, not to re-

ceive in payment of public taxes, the notes of any bank in this State that issues bills of a denomination less than three dollars.

A message was received from the House of Commons stating that the House recedes from its amendments to the bill concerning agriculture and geology, and has passed the bill.

The engrossed bill to prevent the obstructing the passage of fish up New River, in the counties of Ashe and Watauga was read the first time and referred to the committee on the judiciary.

The following engrossed bills were severally read the first time and passed, viz:

The bill to incorporate the Female Institute, in the town of Rockford:

The bill to incorporate the Hillsborough and Chapel Hill Plankroad Company;

The bill to incorporate the Jacksonville and Trent River Plankroad Company; and

The bill to incorporate the Hillsborough and Milton Plankroad Company.

The engrossed bill to improve the road from John Keneday's to the top of the Blue Ridge was read the first time, passed, and referred to the committee on internal improvements.

The engrossed bill to incorporate the Chatham and Randolph Plankroad Company, and

The engrossed bill to incorporate the Newbern and Neuse River Bridge Company were severally read the first time and passed.

The engrossed bill to incorporate the Wilmington Savings Bank was read the first time, passed, and referred to the committee on corporations.

Mr. Fisher introduced a bill to incorporate the South Yadkin Navigation Company, which was read the first time, passed, and referred to the committee on corporations.

Mr. Haughton, a bill concerning the Ward Gold Mine Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The engrossed bill supplemental to an act amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turn-

pike road, was read the first time, passed, and referred to the committee on the judiciary.

A message was received from the House of Commons informing that the Senate has passed the following engrossed bills and resolutions, in which it asks the concurrence of that body, viz:

A bill to re-charter the Bank of the State;

A resolution concerning the debt due from the Seaboard and Roanoke Railroad Company;

A bill concerning leases;

A bill concerning the salaries of certain officers;

A resolution in regard to Burke square, in the city of Raleigh;

A resolution in regard to the executive mansion; and

A bill to incorporate the Baptist Church Extension Society.

Received a message from the House of Commons concurring in the amendments of the Senate to the following bills and resolutions, viz:

A bill to amend an act to incorporate the Atlantic and North Carolina Railroad Company;

A resolution in favor of Wm. N. Brooks; and

A bill to lay off and establish a new county by the name of Wilson.

Ordered, That said bills and resolution be enrolled.

The Senate now proceeded to the consideration of the engrossed bill, on its third reading, to incorporate the Greenville and French Broad Railroad Company.

Mr. Thomas of Jackson, moved the following amendment, viz: Be it further enacted, That the company shall complete said road in ten years.

The amendment was lost; yeas 13, nays 21.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Boyd, Brogden, Collins, Drake, Eaton, Lane, Martin, Mitchell, Oldfield, Sanders, Thomas of Jackson, Wilder and Wiggins—13.

Those who voted in the negative, are,

Messrs, Ashe, Bower, Coleman, Cunningham, Davis, Faison, Fennell, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, McClees, Morisey, Speight, Taylor and Willey—21.

Mr. Thomas of Jackson, now moved the following amendment, as an additional section to the bill, viz:

Be it further enacted, That the Wilmington and Charlotte Railroad Company, authorized by an act of this session, shall have the right to cross the road hereby authorized to be constructed, or to connect tracts therewith, on terms of equality, without any discrimination of freight or travel, against the North Carolina Railroad.

The amendment was rejected; yeas 6, nays 31.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Clark, Collins, Martin, Thomas of Jackson and Wilder—6.

Those who voted in the negative, are,

Messis. Ashe, Biggs, Bower, Cherry, Coleman, Cunningham, Davis, Drake, Eaton, Faison, Fennell, Fonville, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, McClees, Mitchell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Thomas of Davidson, Willey and Wood—31.

The question now recurring on the passage of the bill its third reading, it was determined in the affirmative; yeas 33, nays 8.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Cherry, Clark, Coleman, Cunningham, Davis, Drake, Eaton, Faison, Fennell, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, McClees, McDowell, Mitchell, Morisey, Person, Rayner, Speight, Taylor, Wilder, Willey and Wood—33.

Those who voted in the negative, are,

Messrs. Brogden, Collins, Lane, Martin, Oldfield, Sanders, Thomas of Davidson and Wiggins—S.

So the bill passed its third reading, and was ordered to be enrolled.

Mr. Graves moved that the vote just taken, be reconsidered, and that the motion to reconsider be laid on the table.

The motion to lay on the table was not carried, and the motion to reconsider disagreed to.

Mr. Rayner introduced a bill to amend the charter of the Bank of Fayetteville, which was read the first time and passed.

Received a message from the House of Commons, stating that they have passed the engrossed bill to authorize Wm. S. Ballinger, &c., to construct a dam across Neuse river, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

The bill to improve the navigation of Roanoke river, was now taken up and read the second time.

Pending the consideration of which, the Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

Mr. Wood introduced a bill to authorize the public treasurer of this State to endorse the bonds of the Neuse river navigation Company; which was read the first time and passed, and referred to the committee on internal improvements.

Also, a bill to incorporate the Hallsville and Trenton Plankroad Company; which was read the first time and passed, and referred to the committee on internal improvements.

The engrossed bill to incorporate a female institute in the town of Rockford, was read the second time and laid on the table.

Mr. Clark introduced a bill, supplemental to an act entitled an act to lay off and establish a county by the name of Wilson; which was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

The bill to drain and reclaim the swamp lands of Goshen Swamp, in Duplin county, was read the second time and passed.

The bill to incorporate the Yadkin Manufacturing Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill in favor of R. M. Burruss, of Hyde county, was read the second timd, and laid on the table.

The Senate now resumed the consideration of the unfinished business of the morning, being the bill to improve the navigation of the Roanoke river.

The question being on the passage of the bill its second reading, said bill was amended and passed; yeas 23, nays 15.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Cherry, Christian, Davis, Eaton, Fennell, Fisher, Gilmer, Graham, Haughton, Jones, McClees, Mitchell, Morisey, Person, Rayner, Tayloe, Thomas of Davidson, Thomas of Jackson, Wiggins, Willey and Wood—23.

Those who voted in the negative, are,

Messrs. Bower, Boyd, Brogden, Collins, Cunningham, Drake, Graves, Herring, Martin, Oldfield, Sanders, Speight, Taylor, Walker and Wilder—15.

Mr. Mitchell now called up the bill to incorporate the Yadkin Navigation Company, which was read the third time, amended, and passed; yeas 25, nays 11.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Bower, Boyd, Cherry, Christian, Coleman, Davis, Eaton, Fisher, Fonville, Gilmer, Graham, Graves, Haughton, Lane, Martin, Mitchell, Morisey, Person, Sanders, Thomas of Davidson, Thomas of Jackson, Walker, Wilder, and Wood—25.

Those who voted in the negative, are,

Messrs. Brogden, Collins, Cunningham, Drake, Fennell, Herring, McClees, Oldfield, Speight, Taylor, and Willey—11.

Ordered, That said bill be engrossed.

The engrossed bill to incorporate the Hillsborough and Chapel Hill Plankroad Company, under a suspension of the rule was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to establish a public road from William Phillips's to the stage road at or near Jonas Burkett's, in Ashe county, was read by its title, and on motion by Mr. Bower, postponed until the 4th of March next.

The engrossed bill to incorporate the Jacksonville and Trent River Plankroad Company was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendment of the Senate.

The engrossed bill to incorporate the Chatham and Randolph Plankroad Company was read the second time and passed; the

rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Wilmington Savings Bank was read the second time and referred to the committee on corporations.

The engrossed bill to incorporate the Hillsborough and Milton Plankroad Company was read the second trme and passed; the rule being suspended, said bill was read the third time, amended, and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

Mr. Cherry now called up the bill to incorporate the Albemarle and Pamlico Railroad Company, which was read the third time, amended, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Chatham Railroad Company was read the third time.

Mr. Haughton moved the following amendment, viz:

SEC. . That it shall be lawful for the City of Raleigh, or any incorporated town or county near or through which railroads may pass, to subscribe for such an amount of stock in said company as they shall be authorized to do by the inhabitants of said town or the citizens of said county, in manner and form as hereinafter provided.

Sec. . Be it further enacted, That the corporate authorities of such town, or the justices of the peace of such county, a majority of the justices of the county concurring, to make an order requiring the constable of such town and the sheriff of such county, at such time and on such notice as they shall direct, to open a poll and take the sense of the voters of such town qualified to vote for town officers, and of the voters of such county qualified to vote for members of the House of Commons of the General Assembly, whether the officers of said town, and the justices of the peace of such county shall subscribe to the stock of such company for such sum as the order may propose; and the constable shall make return of the numbers for and against it, and the sheriff shall, in like manner, make return as to the vote in his county to the first court thereafter to be held for such county, and it shall be the duty of the sheriff to notify each justice of said county to attend at the court-house to which he may make his returns of said poll.

SEC. . Be it further enacted, That if upon the return of such constable and of such sheriff it shall appear that a majority of the qualified voters of such town, and by the return of the sheriff that a majority of the qualified voters of such county voting upon the question are in favor of the subscription, the corporate authorities of such town and the justices of such county shall appoint an agent to make the subscription in behalf of such town and county, to be paid for in the bonds of such town and county, and on such time as shall be agreed on by said town officers and the justices of such county.

SEC. . Be it further enacted, That for the purpose of paying the quotas on said stock as may be called for, or the instalment on such subscriptions as may fall due, the town authorities and the justices of the county shall have power to appoint an agent or agents to negotiate a loan for and in the name of such town and county; and it shall be the duty of the authorities of said town, and of the justices of such county, to levy such taxes annually on the persons, lands and other property within such town and county, as may be sufficient to pay the amount of such loan or loans, and the interest thereon, and as said town authorities and justices of such county shall deem necessary and proper; and to make such order or orders as shall be deemed necessary for the due collection and payment of the same, and the stock subscribed on behalf of such town and county shall stand pledged for the payment of the loan thus authorized to be contracted.

SEC. . That any incorporated company shall and may have authority to subscribe such sums to said railroad, as a majority of its members may determine upon.

The amendment was adopted; yeas 25, nays 11.

Those who voted in the affirmative, are,

Messrs. Boyd, Cherry, Christian, Coleman, Davis, Fennell, Gilmer, Graham, Graves, Haughton, Jones, Lane, McClees, McDowell, Martin, Rayner, Sanders, Speight, Taylor, Thomas of Jackson, Thomas of Davidson, Walker, Wilder, Wiggins and Wood—25.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Clark, Collins, Cunningham, Drake, Eaton, Herring, Mitchell, Person and Willey-11.

The bill then passed its third reading, as amended, and a mes-

sage was sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The engrossed bill to incorporate the Newbern and Neuse River Bridge Company, in the county of Craven, was read the second time and passed; the rule being suspended, said bill was read the third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Received a message from the House of Commons, concurring in the amendments proposed by the Senate to the following engrossed bills:

A bill for the protection of sheep;

A bill concerning the Wilmington and Raleigh Railroad Company;

A bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company;

A bill to establish the town of Magnolia;

A bill in favor of Wm. N. Brooks; and

A bill for the better regulation of the town of Franklinsville.

Ordered, That said bills be enrolled.

A message was received from the House of Commons, asking the concurrence of the Senate in sundry amendments proposed to the bill for the completion of the North Carolina Railroad.

A division of the question being called for, the Senate agreed to the first amendment of the Commons, to wit:

In the 2nd section, 5th line, strike out "three per cent. semiannually," and insert "six per cent. per annum, payable semiannually." The second amendment was read and adopted, viz, Strike out of the first section, the following words:—"according to the direction of the acts of said company, entitled an act to incorporate the North Carolina Railroad Company, ratified the 27th day of January, 1849."

Mr. Graham moved that the Senate agree to the third amendment proposed as a proviso to the 2nd section, viz:

"Provided, further, That said stock may be transferred to any other work of internal improvements by a future Legislature."

Mr. Biggs moved to amend the amendment, by striking out the proviso to the said 2nd section—upon a division 16 were found voting in the affirmative, and 16 in the negative. There being a tie, the Speaker voted in the affirmative, and the amendment to the amendment was adopted.

Mr. Christian now moved an adjournment; which was lost.

Mr. Rayner now moved that the Senate adjourn.

Not agreed to.

Mr. Gilmer moved an adjournment; on which question the vote stood yeas 21, nays 21.

Mr. Graves demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Coleman, Davis, Faison, Fisher, Fonville, Gilmer, Graham, Haughton, Lane, McClees, Mitchell, Rayner, Taylor, Tayloe, Wilder, Wiggins, Willey and Wood-21.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Collins, Cunningham, Drake, Fennell, Graves, Herring, Jones, McDowell, Martin, Oldfield, Person, Sanders, Speight, Thomas of Davidson, Thomas of Jackson and Walker—21.

There being a tie, the Speaker voted in the negative, and the motion was lost.

Mr. Graham now moved an adjournment.

The motion was lost.

Mr. Gilmer moved for a call of the House. Not agreed to.

Mr. Christian now moved that the Senate adjourn.

The motion was lost; yeas 19, nays 23.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Coleman, Davis, Faison, Fisher, Gilmer, Graham, Haughton, Lane, McClees, McDowell, Mitchell, Rayner, Tayloe, Thomas of Davidson, Wiggins and Willey—19.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Collins, Cunningham, Drake, Fennell, Fonville, Graves, Herring, Jones, Martin, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder and Wood—23.

On motion by Mr. Faison, the Senate adjourned.

WEDNESDAY, FEBRUARY 7, 1855.

On motion by Mr. Lane, the vote by which the engrossed bill

to incorporate the Hillsboro' and Milton Plankroad Company, was passed, was reconsidered.

The vote by which the amendment to said bill was adopted, was now reconsidered, and rejected.

The bill then passed its third reading, and was ordered to be enrolled.

Mr. Wood introduced a memorial concerning the Neuse River Navigation Company, which was referred to the committee on internal improvements.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Rocky Mount and Franklinton Plankroad Company, reported the same back to the Senate, and recommended its passage.

Mr. Fisher introduced a bill relating to common schools, which was read the first time and passed, and referred to the committee on education and the literary fund.

On motion by Mr. Brogden,

Ordered, That a message be sent to the House of Commons, asking that body to return to the Senate, the bill authorizing Wm. S. Ballinger, &c., to construct a dam across Neuse river.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to amend an act passed at the session of 1850-'51, entitled an act to incorporate the Tuckasege and Nantahala Turnpike Company, reported the same back to the Senate, and recommended its passage.

The engrossed bill to lay off and establish a new county by the name of Harnett, was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the New River and Wilmington and Topsail Sound Plankroad Company, was read the first time and passed.

The engrossed bill to incorporate Holtsburg Manufacturing Company, was read the first time and passed, and referred to the committee on corporations.

The engrossed bill for the better regulation of Elizabethtown, was read the first time and passed, and referred to the committee on corporations.

Mr. Wilder, from the committee on banking, to whom was re-

ferred the bill to increase the capital stock of the bank of Charlotte, reported the same back to the Senate, with an amendment.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the South Yadkin Navigation Company, reported the same back to the Senate, and recommended its passage.

A message was received from the House of Commons, proposing to go into an election for nine Directors of the Lunatic Asylum

this day at 1 o'clock,

Whereupon it was ordered that a message be sent to the House of Commons, informing that the Senate do not agree to vote for nine Directors of the Lunatic Asylum at 1 o'clock, but propose to go into said election to-day at $3\frac{1}{2}$ o'clock, P. M.

Received a message from the House of Commons, agreeing to the proposition of the Senate, to go into the election for nine Directors of the Lunatic Asylum to-day at $3\frac{1}{2}$ o'clock; and informing that Messrs. Yancey and Stubbs form the House branch of the committee to superintend said election.

The Senate now resumed the consideration of the unfinished business of yesterday, viz: The bill for the completion of the North Carolina Railroad, and the amendments proposed thereto by the House of Commons.

Mr. Graves moved a reconsideration of the vote, by which the amendment to the amendment of the House of Commons, was adopted on yesterday.

The motion prevailed.

The question now recurring on the adoption of the amendment to the amendment, it was determined in the negative—yeas 22, nays 23.

Mr Sanders demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fonville, Herring, Jones, Martin, Oldfield, Sanders, Taylor, Thomas of Jackson, Wilder, and Wiggins—22.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Davis, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Lane, McClees, Mc-

Dowell, Mitchell, Morisey, Rayner, Speight, Taylor, Thomas of Davidson, Walker, Willey, and Wood—23.

So the amendment to the amendment was lost, and the amendment agreed to.

The 4th amendment proposed by the House of Commons, to come in as section 6th, is as follows:

"Be it further enacted, That the sum of fifteen thousand dollars, to be raised by the State in the same manner as other moneys are raised by the provisions of this act, be, and the same is hereby appropriated for the purpose of cleaning out and improving the navigation of Tar river, between the town of Washington and the falls of said river; and that His Excellency, the Governor, is hereby empowered and required to appoint suitable commissioners to carry into effect the requirements of this section."

Mr. Clark moved that the Senate disagree to said amendment.
The question thereon was determined in the affirmative—yeas 24, nays 18.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Cunningham, Drake, Eaton, Faison, Fennell, Fonville, Graves, Herring, Jones, McDowell, Martin, Oldfield, Sanders, Speight, Taylor, Thomas of Jackson, Walker, Wilder, and Willey—24.

Those who voted in the negative, are,

Messrs. Ashe, Boyd, Cherry, Christian, Coleman, Davis, Fisher, Freeman, Gilmer, Graham, Haughton, Lane, Mitchell, Morisey, Rayner, Tayloe, Wiggins, and Wood—18.

So the Senate disagreed to the amendment, and the House of Commons was informed thereof by message.

A message was sent to the House of Commons informing that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz:

A bill concerning the Ward Gold Mine Company;

A bill making provision for the reduction of the public debt;

A bill to incorporate a company to construct a bridge across New River;

A bill authorizing the construction of dams across the French Broad River, in the counties of Henderson, Buncombe, and Madison:

A bill to authorize the president and directors of the literary fund to appoint an agent for swamp lands;

A bill to incorporate the Dan River Steam Navigation Company;

A bill to incorporate the Indian Grave Turnpike Company.

Mr. Tayloe introduced a bill for the completion of the improvements on Tar River, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Eaton introduced a bill to incorporate the Warrenton Plankroad Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Rayner submitted a resolution concerning the distribution of the Revtsed Code, which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be engrossed.

The bill to incorporate the South Yadkin Navigation Company was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The engrossed bill to incorporate the New River, Wilmington, and Topsail Sound Plankroad Company was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Mr. Fisher introduced a bill to incorporate the Mineral Plankroad Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The bill to incorporate the Rocky Mount and Franklinton Plankroad Company, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Snow Hill and Atlantic Plankroad Company was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to prevent the felling of timber in Big and Little Ivey was read the second time and passed; the rule being suspended, said bill was read the third time, amended and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

The bill in relation to burnt deeds was read the second time, the substitute proposed by the committee adopted, and the bill passed its second reading as amended; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Marion Gold Mining Company was read the second time, passed, and laid on the table.

The bill supplemental to an act entitled an act to lay off and establish a county by the name of Wilson, was read the third time, amended and passed.

The bill to incorporate the Nantahala Gold and Copper Mining Company, of Western North Carolina, was read by its title and ordered to be laid on the table.

The hour agreed upon by the two Houses for going into the election of nine directors of the Lunatic Asylum having now arrived, a message was sent to the House of Commons informing that Messrs. Wilder and Taylor constitute the Senate's branch of the committee to superintend said election, and that the Senate would proceed to vote on the return of the messenger.

The Senate, under the superintendence of Messrs. Wilder and Taylor, then voted as follows:

For Mr. RAYNER:—Messrs. Speaker, Christian, Cherry, Clark, Coleman, Cunningham, Davis, Faison, Fennell, Fisher, Fonville, Gilmer, Haughton, Herring, McClees, McDowell, Oldfield, Sanders, Speight, Taylor, Wiggins, Willey, Wood, Drake, and Boyd—25.

For Mr. Eaton:—Messrs. Biggs, Bower, Christian, Cherry, Coleman, Cunningham, Davis, Fennell, Fisher, Fonville, Gilmer, Haughton, Herring, McClees, Martin, Mitchell, Oldfield, Sanders, Speight, Taylor, Thomas of Davidson, Walker, Wilder, Wiggins, Willey, Wood, Person, Drake, Brogden, and Boyd—31.

For Mr. Brogden:—Messrs. Speaker, Biggs, Bower, Christian, Collins, Coleman, Cunningham, Davis, Faison, Fennell,

Fonville, Lane, McDowell, Martin, Mitchell, Oldfield, Sanders, Speight, Taylor, Thomas of Davidson, Walker, Wilder, Wiggins, Willey, Wood, Person, Drake, and Boyd—28.

For Mr. WILDER:—Messrs. Speaker, Christian, Cherry, Clark, Coleman, Collins, Faison, Fonville, Gilmer, Haughton, Lane, McDowell, Martin, Oldfield, Sanders, Taylor, Walker, Wiggins, Willey, Wood, Boyd and Brogden—22.

For. Mr. Holden:—Messrs. Speaker, Christian, Bower, Coleman, Collins, Cunningham, Davis, Eaton, Faison, Fennell, Fisher, Fonville, Herring, McDowell, Martin, Oldfield, Sanders, Speight, Taylor, Thomas of Davidson, Walker, Wilder, Wood, Drake, Brogden and Boyd—26.

For Mr. RAND:—Messrs. Bower, Clark, Cunningham, Eaton, Fennell, Herring, McClees, Martin, Sanders, Speight, Wiggins, Drake, Brogden and Boyd—14.

For Mr. Jones:—Messrs. Biggs, Bower, Collins, Faison, Fennell, Gilmer, Herring, Martin, Mitchell, Sanders, Person, Drake and Boyd—13.

For Mr. GILMER:—Messrs. Speaker, Christian, Clark, Cunningham, Davis, Faison, Fonville, Haughton, McClees, McDowell, Oldfield, Taylor, Thomas of Davidson, Willey and Wood—15.

For Mr. Mordecai:—Messrs. Speaker, Biiggs, Cherry, Clark, Eaton, Fisher, Gilmer, Lane, McClees, Mitchell, Wiggins, Willey and Person—13.

For Mr. BLOUNT:—Messrs. Biggs, Bower, Coleman, Collins, Davis, Eaton, Fisher, Martin, Mitchell, Walker Wilder and Person—12.

For Mr. Jos. Rogers:—Messrs. Biggs, Clark, Coleman, Fennell, Fisher, Gilmer, Herring, Mitchell, Person, Drake and Brogden—11.

For Mr. FISHER:—Messrs. Speaker, Christian, Fennell, Gilmer, Haughton, Oldfield, Speight, Wood and Brogden—9.

For Mr. Patterson:—Messrs. Biggs, Christian, Clark, Fennell, Herring, McClees, Mitchell, Wilder and Person—9.

For Mr. Graves:—Messrs. Bower, Coleman, Cunningham, Eaton, Fennell, Haughton, Herring, Taylor and Wilder—9.

For W. R. Poole:—Messis. Gilmer, Haughton, Lane, Sanders, Walker, Wood, Drake, Brogden and Boyd—9.

For Mr. Branch:—Messrs. Speaker, Biggs, Collins, Fisher, Mitchell, Taylor and Wilder—7.

For Mr. Graham:—Messrs. Cherry, Clark, Cunningham, Fisher, McClees, Wiggins and Willey—7.

For Mr. HINTON:—Messrs. Clark, Eaton, McClees, Wilder and Willey—5.

For Wilson Hill:—Messis. Biggs, Bower, Coleman, Fisher, Martin, Mitchell and Wilder—7.

For Dr. Lane:—Messrs. Cherry, Cunningham, Davis, Faison, Haughton, Speight, and Thomas of Davidson—7.

For Mr. Selby:—Messrs. McDowell, Sanders, Drake and Boyd—4.

For Mr. Doub:—Messrs. Christian, Davis, Faison and Mc-Dowell—4.

For T. R. Caldwell:—Messrs. Cherry, Davis and Lane—3.
For Mr. Stallings:—Messrs. Bower, Collins, and Walker—3.

For J. R. Jones :- Messrs. Cherry and Wiggins-2.

For Mr. Cunningham:—Messrs. Cherry, Willey and Wood—3.

For Mr. Cherry:—Messrs. Fonville, Lane, McDowell and Oldfield—4.

For Mr. Hoke:—Messrs. Fonville, Gilmer, Oldfield and Thomas of Davidson—4.

For Mr. MITCHELL: - Messrs. Lane and Wiggins - 2.

Mr. Eaton voted for Mr. EVERETT, Mr. Hogg and Mr. More-

Mr. Collins voted for Mr CLARK.

Mr. Faison for J. Mordecal.

Mr. Walker for Mr. WARRING and Mr. Thompson.

Mr. Brogden for Mr. D. COLEMAN.

Mr. Lane, for Mr. MILLER and E. S. WINSLOW.

Mr. Martin, for Mr. Bower.

Mr. Speaker, for Mr. FREEMAN.

Mr. Speight, for Dr. Johnson and Mr. Mebane.

Mr. Thomas, of Davidson, for P. Adams.

Mr. Person, for A. Jones.

The bill to incorporate the trustees of the Mariners' Orphan Asylum, in the county of Carteret, was read the second time and

passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to authorize the construction of a toll bridge across the Yadkin river, near Jonesville, was read the second and third time, under a suspension of the rule, and ordered to be enrolled.

The bill concerning lands covered by water, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to prohibit the trading with slaves in the county of Mecklenburg, was read the second time.

Mr. Walker moved to amend the bill by striking out "Meck-lenburg," which motion prevailed.

Mr. Person moved to amend, by striking out the words, "and the eggs of such fowl." The motion was lost.

Mr. Graves moved to amend the bill by inserting "Northampton," which motion was agreed to.

Mr. Haughton moved to amend by inserting " Craven," which motion was carried.

Mr. Walker moved further to amend by inserting "Mecklen-burg," which was agreed to.

The question now recurring on the passage of the bill its second reading as amended, it was determined in the affirmative—yeas 23, nays 10.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Cherry, Christian, Collins, Cunningham, Drake, Fennell, Freeman, Jones, McClees, Martin, Mitchell, Oldfield, Person, Speight, Thomas of Davidson, Walker, Wiggins, Willey, and Wood—23.

Those who voted in the negative, are,

Messrs. Clark, Davis, Eaton, Gilmer, Graham, Graves, Haughton, Lane, McDowell, and Rayner—10.

So the bill passed its second reading as amended.

Mr. Rayner introduced a bill to incorporate the Clarendon Coal Field Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Oldfield a bill to amend an act, to exempt persons residing

on the banks and islands between Whalebone Inlet and Cape Hatteras, from serving as jurors; which was read the first time and passed, and referred to the committee on the judiciary.

On motion, the Senate adjourned.

THURSDAY, FEBRUARY 8, 1855.

Mr. Wilder introduced a resolution in favor of James Mc-Kimmon, which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed and ordered to be engrossed.

Mr. Wilder, from the committee appointed to superintend the election of directors of the Lunatic Asylum, reported that no person having received a majority of the votes given, there is no election. Concurred in.

On motion by Mr. Wilder,

Ordered, That a message be sent to the House of Commons proposing to raise a joint select committee of two on the part of each House to nominate a ticket to be voted for as directors of the Lunatic Asylum.

Mr. Biggs introduced a bill to amend the 8th section of the 16th chapter of the Revised Code, entitled inspections, which was read the first time and passed; the rule being suspended, the said bill was read the second and third time, passed, and ordered to be engrossed.

A message was sent to the House of Commons informing that the Senate have passed the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill to incorporate the Bank of Wilmington, North Carolina;

A bill to incorporate the Yadkin Manufacturing Company;

A bill to incorporate the Warrenton Plankroad Company; and

A resolution in favor of James McKimmon.

Mr. Haughton introduced a resolution in favor of Peter J. Evans, which was read the first time, passed, and referred to the committee on the judiciary.

Also, a bill concerning corporations, which was read the first time and referred to the committee on the judiciary.

Mr. Eaton, from the committee on the judiciary, to whom was referred a resolution of inquiry on the subject, reported a resolution concerning the Farmer's Bank at Elizabeth City, with a

detailed report thereon, which said report was ordered to be printed and the resolution read the first time and passed.

Mr. Eaton introduced a bill supplemental to an act to erect a new county by the name of Harnett, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Biggs offered the following resolution, viz:

Resolved, That a message be sent to the House of Commons proposing that the two Houses adjourn sine die on Wednesday, the 14th instant, at 12 o'clock, M., and that the clerks make up their estimates accordingly.

Mr. Wilder moved to amend the resolution by striking out "Wednesday" and inserting "Thursday."

The motion was lost and the resolution adopted.

The bill to increase the capital stock of the Bank of Charlotte was read the third time, amended; passed, and ordered to be engrossed.

The bill relating to the Fayetteville and Warsaw Plankroad Company was read the second time and passed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial for the discontinuance of a public road leading from William Black's in Gaston county, to the town of Shelby, in Cleveland county, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Graham introduced a resolution in favor of B. F. Moore and Asa Biggs, which was read the first time and passed.

Mr. Wilder, from the committee on banking, to whom was referred the bill to incorporate the Union Bank, reported the same back with amendments.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to amend an act entitled an act to incorporate the Greensborough Mutual Insurance Company, passed in 1850-'51, reported the same back to the Senate with amendments.

Mr. Boyd introduced a resolution in favor of G. W. Bullard, which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Hoke, from the committee on the judiciary, to whom the

subject was referred, reported a bill to establish the boundaries of the town of Beaufort, which was read the first time and passed.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Wilmington Savings Bank, reported the same back to the Senate with amendments.

Mr. Ashe introduced a bill for the better regulation of the town of Wadesboro', in the county of Anson; which was read the first time and passed.

Received a message from the House of Commons, stating that they have passed the engrossed bill to incorporate the North Carolina Railroad Company, with sundry amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

Mr. McDowell, from the committee on corporations, to whom was referred the bill to incorporate the Salem Savings Institute; and

The bill for the better regulation of Elizabeth City, reported said bills back to the Senate, and recommended their passage.

Received a message from the House of Commons, proposing that the two Houses adjourn sine die on Wednesday, the 12th instant, at 12 o'clock, M.

Concurred in.

Also, concurring in the proposition of the Senate, to raise a joint select committee of two on the part of each House, to consider the propriety of employing a State Engineer, and informing that Messrs. Bynum, of Rutherford, and Singeltary, constitute the House branch of said committee.

Whereupon, the House of Commons were informed by message, that Messrs. Thomas, of Davidson, and Thomas, of Jackson, constitute the committee on the part of the Senate.

Also a message, proposing to appoint the directors of the Lunatic Asylum, by resolution; which was concurred in.

Mr. Thomas, of Davidson, from the committee on corporations, to whom was referred the bill to incorporate Holtsburg Manufacturing Company, in the county of Davidson, reported the same back to the Senate, and recommended its passage.

Received a message from the House of Commons, stating that they have passed the engrossed bill concerning the militia, with an amendment, in which they ask the concurrence of the Senate.

To which said amendment the Senate disagreed, and the House was informed thereof by message.

Also that the House has passed the engrossed bill concerning common schools, with sundry amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, except the amendment proposing to insert "marsh and" before "swamp," to which the Senate disagrees; of which the House were informed by message.

Received a message from the House of Commons, concurring in the amendments of the Senate to the Chatham Railroad Company, except the amendment giving towns and counties authority to take stock—this they refuse to concur in; from which said amendment the Senate recedes, and the House of Commons were informed thereof by message.

Also, stating that the House concurs in the amendments proposed by the Senate to the engrossed bill to regulate the floating of timber on the Roanoke River.

The resolution in favor of John Crews;

The bill to incorporate the Jacksonville and Trent River Plankroad company; and

The bill to incorporate the Newbern and Neuse River Bridge Company.

Ordered, That said bills and resolution be enrolled.

The Senate now took up for consideration the engrossed bill concerning the revenue of the State; which was read the second time by sections.

Mr. Clark moved to amend the second section of the bill, by striking out "12 cents," and inserting "10 cents" as the tax on every hundred dollars value of real property.

The amendment was lost; yeas 15, nays 20.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Bower, Boyd, Brogden, Cherry, Clark, Collins, Cunningham, Faison, Herring, McDowell, Martin, Taylor, Thomas of Davidson, Wiggins and Willey—15.

Those who voted in the negative, are,

Messrs. Biggs, Christian, Coleman, Davis, Eaton, Fennell, Gilmer, Graham, Graves, Haughton, Hoke, Jones, Lane, Mitchell, Oldfield, Rayner, Speight, Walker, Wilder, and Wood—20.

Mr. Graham moved to strike out the 14th section; agreed to.

Mr. Biggs moved to amend the 15th section by inserting after the word " "in the 2nd line, the words "bequeathed or are distributable."

The amendment was adopted.

Mr. Biggs moved further to amend said section by inserting after the word "estates," in the 6th line of the same, the words "and without having paid the tax imposed by the 7th section of this act."

Which said amendment was adopted.

Mr. Rayner moved the following amendments to the 16th section, which were adopted, viz:

Strike out "three" and insert "six," in the 5th line; strike out "clerk of the county court" in the 7th and 8th lines, and insert "some discreet person;" also strike out "retain and" in the 9th line of said section.

On motion by Mr. Graham, the bill was further amended by striking out the 17th section.

The hour having arrived, the Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The bill to incorporate the North Carolina Central, Atlantic and Pacific Railroad Company, was taken up and referred to the committee on internal improvements.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of N. W. Woodfin, &c., reported the same back to the Senate, with amendments.

The bill to incorporate the Contentnea Railroad Company, was read the second time.

The engrossed bill to confirm a grant in favor of Wm. J. Potter and Jos. J. Roberson, was read the first time and passed.

The Senate now resumed the consideration of the unfinished business of the morning, being the engrossed bill concerning the revenue of the State.

Mr. Rayner moved to amend the 19th section as follows, strike

out the word "solvent" in the 7th line, and insert after the word "debtor" "deemed solvent by the listing creditor;" which amendment was adopted.

On motion by Mr. Ashe, the 22nd section was amended by inserting after the word "in," in the 2nd line, the words "the trade of."

Mr. Graves moved to strike out "10" in the 8th line of said section, and insert "25."

The motion was lost.

Mr. Graves then moved to strike out 25 cts. in the 6th line, and insert 10 cts.; which motion was lost—yeas 5, nays 31.

Mr. Graves demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Boyd, Christian, Cunningham, Fisher, and Graves—5.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Brogden, Cherry, Clark, Coleman, Collins, Davis, Eaton, Fennell, Fonville, Freeman, Graham, Haughton, Hoke, Jones, Lane, McClees, McDowell, Martin, Oldfield, Rayner, Speight, Taylor, Thomas of Davidson, Walker, Wilder, Wiggins, Willey, and Wood—31.

Mr. Graham moved to amend the 23rd section of the bill by striking out the words, "on each piano forte in use, one dollar," in the 17th line of the same. The motion was lost.

Mr. Rayner moved to amend said section by striking out the words "at some time within the year," in the 22nd line, and inserting "are usually," which amendment was adopted.

Mr. Rayner now moved to strike out "one dollar," in the 19th line, and insert "two dollars," as a tax on bowie knives.

Mr. Christian moved to amend the amendment by inserting "five dollars," which motion did not prevail. The amendment of Mr. Rayner was adopted.

Mr. Rayner now moved to amend said section in the 20th line by striking out "fifty cents" and inserting "one dollar" as the tax on sword canes. The amendment was adopted.

Mr. Biggs moved to amend as follows: after "dollars," in the 25th line, insert "to be paid by the sheriff upon the certificate of the clerk obtained in the manner provided in the chapter entitled "ordinaries and inns," and thereupon the sheriff shall issue a license.

The amendment was agreed to.

Mr. Cunningham moved to amend by taxing all gongs two dollars.

The amendment was lost.

Mr. Rayner moved further to amend said resolution by inserting after the word "liquors," in the 25th line, the words "and all dealers in the same by a less quantity than a gallon."

The amendment was lost; yeas 12, nays 26.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Coleman, Fennell, Fisher, Gilmer, Graham, Lane, McClees, Rayner, Thomas of Davidson, Thomas of Jackson, Willey and Wood—12.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Cherry, Christian, Clark, Collins, Cunningham, Davis, Eaton, Faison, Fonville, Freeman, Graves, Haughton, Herring, Jones, McDowell, Martin, Mitchell, Oldfield, Speight, Taylor, and Wilder—26.

Mr. Rayner moved further to amend said section as follows: strike out all after "pedlars," in the 21st line, to the words "a tax," in the 25th line, and insert "of patent medicines, nostrums, and petty articles."

The amendment was adopted.

Mr. Rayner moved further to amend said section as follows: strike out "five dollars" and insert "three dollars" as a tax on said pedlars.

The motion was lost.

Mr. Graham moved further to amend said 23d section by striking out the tax of one dollar on marriage licenses, which motion was carried; yeas 25, nays 15.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Faison, Fennell, Fisher, Freeman, Graham, Graves, Herring, Jones, McDowell, Martin, Mitchell, Oldfield, Speight, Taylor, Thomas of Jackson, Walker and Wood—25.

Those who voted in the negative, are,

Messrs. Ashe, Cherry, Christian, Davis, Eaton, Fonville, Gil-

mer, Haughton, Lane, McClees, Rayner, Thomas of Davidson, Wilder, Wiggins, and Willey—15.

Mr. Biggs moved to amend said section as follows: strike out "retailers," in the 36th line, which was agreed to.

Mr. Christian moved further to amend the bill by adding to said section "and a tax on all faro banks of \$500 in every county in which they are used or opened," which said amendment was adopted.

Mr. Clark moved to amend the bill as follows: in the 3d line of the 24th section strike out "one-fourth" and insert "one-eighth."

Mr. Christian moved the following amendment to the amendment, to come in after the word "capital," "to the extent of \$20,000, and for the excess of capital over \$20,000 one-eighth of one per cent."

The amendment to the amendment was rejected.

Mr. Bower called for a division of the question.

And the question being first taken on striking out, it was determined in the negative.

So the Senate refused to strike out.

Mr. Rayner moved to strike out "capital so employed," in the 7th line of said section, and insert "the amount of his sales."

Mr. Bower moved to amend the amendment by striking out "sales" and inserting the word "purchases."

The amendment to the amendment was lost, and the amendment of Mr. Rayner was disagreed to.

Mr. Biggs moved to amend said section by inserting after the word "capital," in the 4th line, the words "except as follows," which amendment was agreed to.

The bill was further amended, on motion by Mr. Biggs, by striking out "twenty" in the 4th line of said section.

Mr. Rayner moved to strike out so much of the 24th section as imposes a tax on distillers of turpentine.

Pending the consideration of which,

On motion by Mr. Cherry, the Senate adjourned.

FRIDAY, FEBRUARY 9, 1855.

On motion, leave of absence was granted to Mr. Walker, from and after Tuesday next.

And to Mr. McDowell from and after Monday next.

Mr. Fisher, from the committee on internal improvements, to whom was referred the bill to authorize the public treasurer of the State to endorse the bonds of the Neuse River Navigation Company;

The bill to amend an act passed at the session of 1852-53, to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company; and

The bill for the completion of the Improvements on Tar River, reported said bills back to the Senate, and recommended their passage.

Mr. Fisher, from the same committee, to whom was referred the bill to incorporate the Trenton and Hallsdale Plankroad Company; and

The bill to incorporate the Contentnea Railroad Company, reported said bills back to the Senate, with amendments.

Ordered, That the said bills be laid on the table.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial of James Taylor, &c., reported the same back to the Senate, and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred a resolution in favor of G. W. Bullard, and

A resolution in favor of Jas. M. McGowan, reported the same back to the Senate, and recommended their passage.

Mr. Boyd, from the same committee, to whom was referred the bill to annex part of Onslow county to the county of Jones, reported the same back to the Senate, and recommended its rejection.

On motion,

Ordered, That said bill be indefinitely postponed.

The bill relating to the Fayetteville and Warsaw Plankroad Company, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Moore and Montgomery Plankroad Company, was now taken up, read the third time, and rejected; yeas 17, nays 20.

The yeas and nays being demanded,

Those who voted in the affirmative, are,

Messrs. Cherry, Christian, Coleman, Davis, Faison, Fonville,

Freeman, Gilmer, Haughton, Hoke, Lane, Mitchell, Person, Tayloe, Thomas of Davidson, Thomas of Jackson and Wood—17.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Collins, Cunningham, Eborn, Herring, McClees, McDowell, Martin, Morisey, Oldfield, Kayner, Sanders, Speight, Taylor, Wiggins and Willey—26.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred a memorial to prohibit traffic in intoxicating liquors, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Hoke, from the committee on the judiciary, to whom was referred the bill to prevent obstructing the passage of fish up New River, in the counties of Ashe and Catawba, reported the same back to the Senate, and recommended its rejection.

Mr. Hoke, from the same committee, to whom was referred the bill to confirm a grant of land to E. W. Piggott, made an adverse report thereon.

Mr. Hoke, from the same committee, to whom was referred the bill to amend an act to exempt persons residing on the banks and islands between Whalebone Inlet and Cape Hatteras from serving as jurors, reported the same back to the Senate, and recommended its passage.

Mr. Haughton, from the committee on the judiciary, to whom was referred the resolution in favor of Peter G. Evans, reported the same back to the Senate, and recommended its passage.

Received a message from the House of Commons, stating that they insist on their amendment to the bill for the completion of the North Carolina Railroad, making an appropriation for the improvement of Tar river.

Mr. Gilmer moved that the Senate recede from its disagreement to said amendment, and the question being taken on the motion to recede, it was determined in the affirmative; yeas 22, nays 14.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Cherry, Christian, Coleman, Eaton, Eborn, Fennell, Fisher, Freeman, Gilmer, Graham, Haughton, Lane,

McClees, Mitchell, Morisey, Rayner, Sanders, Tayloe, Thomas of Davidson, Wiggins, and Wood—22.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Brogden, Clark, Cunningham, Faison, Fonville, Graves, Herring, McDowell, Speight, Taylor, Walker, and Willey—14.

So the Senate agreed to recede, and the House of Commons were informed thereof by message.

The Senate now resumed the consideration of the unfinished business of yesterday, viz:

'The engrossed bill concerning the revenue of the State.

The question pending, being on the motion to strike out so much of the 24th section of the bill as imposes a tax on distillers of turpentine.

And the question being taken thereon, it was determined in the affirmative; yeas 30, nays 15.

The yeas and nays being called,

Those who voted in the affirmative, are,

Messrs. Speaker, Ashe, Biggs, Boyd, Brogden, Cherry, Christian, Clark, Davis, Eborn, Faison, Fennell, Fisher, Fonville, Haughton, Herring, Jones, McClees, McDowell, Morisey, Oldfield, Person, Rayner, Sanders, Speight, Tayloe, Walker, Wilder, Wiggins and Wood—30.

Those who voted in the negative, are,

Messrs. Bower, Coleman, Collins, Cunningham, Eaton, Freeman, Gilmer, Graham, Graves, Lane, Martin, Mitchell, Taylor, Thomas of Jackson and Willey—15.

On motion, the Speaker was allowed to record his vote in the affirmative.

Mr. Graham moved to reconsider the vote by which was adopted, on yesterday, the amendment laying a tax on faro banks.

The motion prevailed.

Whereupon, with leave, the amendment was withdrawn.

Mr. Biggs moved to amend the 28th section of the bill, by inserting in the 2d line, the words "merchant tailor" after the word "merchant."

The amendment was adopted.

Mr. Graham moved to amend the 29th section as follows, viz:

Strike out, in the 3d and 4th lines of the said section, the words, "offer for sale," &c.

Which amendment was adopted.

On motion by Mr. Biggs, said section was further amended, by inserting in the third line, after the word "others," the words, "persons sitting."

Mr. Hoke moved to amend the said 29th section, in the first clause of the same, so as to make it read as follows:

That there shall be paid to the sheriff of each county, a tax of \$4 for every vehicle, by any person selling or pedling the same.

The amendment was lost.

Mr. Fisher moved to amend the said section, by striking out the first clause of the same, taxing vehicles not of the manufacture of this State. The motion was lost.

Mr. Person moved to strike out \$10, and insert \$5, as the tax on drovers. The motion was lost.

Mr. Ashe moved to amend, by striking out all of said section which imposes a tax on horses and mules brought into this State for sale.

Which motion was carried; yeas 24, nays 14.

Mr. Davis demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Davis, Eborn, Fennell, Fisher, Gilmer, Graves, Hoke, McDowell, Martin, Morisey, Person, Sanders, Speight, Thomas of Davidson, Thomas of Jackson and Walker—24.

Those who voted in the negative, are,

Messrs. Bower, Cherry, Christian, Eaton, Faison, Freeman, Haughton, Lane, Mitchell, Rayner, Wilder, Wiggins, Willey and Wood—14.

Mr. Mitchell moved to strike out the proviso to the 30th section, and insert as follows, viz:

And provided further, That no tax is hereby imposed on the manufacturers of such vehicles, who usually sell none except such as are manufactured, as to the wood part, at their own establishments.

The amendment was lost,

Mr. Rayner now moved to strike out the 30th section.

The motion did not prevail.

Mr. Boyd moved to amend the 36th section, by striking out "horses and mules;" which motion was agreed to.

Mr. Clark moved to amend the 37th section, by striking out \$100, and inserting \$10, the tax on brokers.

The motion was lost.

Mr. Graham moved to amend the 39th section, by inserting after "ministers of the gospel," the words "governor and judges of the supreme and superior courts."

The motion prevailed.

The Senate new took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

Mr. Haughton introduced a bill to incorporate the Consolidated Mining Company of North Carolina, which was read the first time and passed; the rule being suspended, said bill was read the second time, passed, and referred to the committee on corporations.

Also a bill to incorporate the Union Gold Mining Company, which was read the first time, passed, and referred to the committee on corporations.

Also a bill to incorporate the Chapel Hill Gold Mining Company, which was read the first time, passed, and referred to the committee on corporations.

Also a bill to incorporate the Charlotte Gold Mining Company, which was read the first time, passed, and referred to the committee on corporations.

Also a resolution in favor of H. D. Turner, which was read the first time, passed, and referred to the committee on the Revised Statutes.

The resolution in favor of Peter G. Evans was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engressed.

The engrossed resolution in favor of Neil McColverd, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed resolution in favor of Jacob Siler, was read the first time, passed, and referred to the committee on corporations.

The engrossed bill to cede to the United States a tract of land

near Wilmington, was read the first time, passed, and referred to the committee on the judiciary.

The engrossed resolution in favor of C. C. Stone, was read the

first time and passed.

The Senate now resumed the consideration of the unfinished business of the morning, viz: The bill concerning the Revenue of the State.

Mr. Clark moved to amend the 78th section by striking out "or other sufficient cause," in the 10th line of the same.

The motion was lost.

Mr. Biggs moved the following amendment as an additional section to the bill, viz:

The tax imposed by law for the Lunatic Assylum, shall be deemed to be included in the tax on real estate and polls, imposed by the 2nd and 4th sections of this chapter.

The amendment was adopted.

And the question recurring on the passage of the bill its second reading, it was determined in the affirmative; yeas 31, nays 8.

Mr. Wiggins demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Cherry, Christian, Clark, Coleman, Collins, Cunningham, Davis, Eaton, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Jones, McDowell, Mitchell, Morisey, Speight, Taylor, Tayloe, Walker, Wilder, and Wood—31.

Those who voted in the negative, are,

Messrs. Brogden, Eborn, McClees, Martin, Person, Rayner, Wiggins, and Willey-8.

Mr. Jones submitted the following resolution, which was adopted, viz:

Resolved, That the Senate for the balance of the session, will daily meet at 10 o'clock, A. M.; take a recess at $1\frac{1}{2}$ o'clock, P. M.; meet again at 3 o'clock, P. M.; take a recess at $5\frac{1}{2}$ o'clock, P. M.; and meet again at 7 o'clock, P. M.

A message was sent to the House of Commons informing that the Senate have passed the following engrossed bills and resolutions, in which they ask the concurrence of the House, viz:

A bill relating to the Fayetteville and Warsaw Plankroad Company;

A bill in relation to deeds of which the registered copies have been destroyed;

A bill concerning lands covered by water;

A bill to incorporate the Rocky Mount and Franklinton Plankroad Company;

A resolution concerning the distribution of the Revised Code;

A bill to incorporate the Mineral Plankroad Company;

A bill to incorporate the Clarendon Coal Fields Company; and

A bill to incorporate the South Yadkin Navigation Company.

On motion, leave of absence was granted to Messrs. Ashe, Fonville, Wiggins, Drake, and Fennell from and after to-morrow, for the residue of the session.

Received a message from the House of Commons stating that they have passed the engrossed bill to incorporate the Yadkin Navigation Company; and

The engrossed bill to incorporate the Fayetteville and Centre Plankroad Company with amendments, in which they ask the concurrence of the Senate.

The Senate agreed to said amendments, and a message was sent to the House of Commons informing thereof.

Also a message from the House of Commons disagreeing to the amendment of the Senate to the engrossed resolution in favor of W. H. Winder.

Ordered, That a message be sent to the House of Commons informing that the Senate insists on its amendment.

Mr. Cherry called up the bill to improve the navigation of the Roanoke River, which was read the third time and passed; yeas 25, nays 15.

The yeas and nays being demanded,

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Cherry, Christian, Coleman, Davis, Eaton, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Jones, McClees, Mitchell, Morisey, Person, Rayner, Tayloe, Thomas of Jackson, Walker, Wiggins and Wood—25.

Those who voted in the negative, are,

Messrs. Bower, Boyd, Brogden, Clark, Collins, Cunningham, Fonville, Herring, McDowell, Martin, Oldfield, Speight, Taylor, Wilder and Wiggins—15.

So the bill passed its third reading and was ordered to be engrossed.

The bill to provide for the construction and repairs of public roads was read the third time, amended, passed, and ordered to be engrossed.

The engrossed resolution to erect shelves in the engrossing clerk's room was read the first time and passed.

The engrossed resolution appointing directors of the Lunatic Asylum was read the first time and passed.

The engrossed bill to extend the limits of the town of Ashborough was read the first time and passed.

Mr. Boyd now called up for consideration the bill to provide for a more uniform valuation of the lands within this State, and that the taxes be listed, levied, and collected in the same year, said bill being on its third reading.

Mr. Biggs moved to amend the bill by striking out all after the enacting clause and inserting an amendment offered by him as a substitute for the bill.

On motion by Mr. Clark the amendment was amended by striking out the 2d section of the same.

And the question recurring on the adoption of the amendment as amended,

Mr. Eaton moved that the same be indefinitely postponed, which motion was lost; yeas 16, nays 18.

Those who voted in the affirmative, are,

Messrs. Brogden, Cunningham, Eaton, Eborn, Fennell, Fonville, Freeman, Herring, McDowell, Martin, Oldfield, Speight, Wilder, Wiggins, Willey, and Wood—16.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Christian, Clark, Coleman, Collins, Gilmer, Graham, Haughton, Hoke, Jones, Mitchell, Morisey, Taylor, Thomas of Davidson, Thomas of Jackson, and Walker—18.

On motion of Mr. Graham the bill was committed to a select committee consisting of Messrs. Graham, Boyd, and Biggs.

On motion by Mr. Biggs,

Ordered, That the 15th rule of order be rescinded, which provides that no bill or resolution of a public nature shall be sent from the Senate until twelve o'clock the succeeding day.

The Senate now took a recess until 7 o'clock.

Seven o'clock, P. M.

The engrossed bill to incorporate the Wacamaw and Shallotte Plankroad Company, was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

Mr. Gilmer introduced a bill to amend letters patent, granted to Wm. H. Winder and others, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engressed.

The bill to amend an act to exempt persons residing on the banks and islands, between Whalebone Inlet and Cape Hatteras, from serving as jurors, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Wilmington Savings Bank, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The bill to confirm a grant of land to E. W. Piggott, &c., was read the second time, and postponed until the 4th day of March next.

The bill to empower the commissioners of Wilmington to establish streets, &c., was read the second time and passed; the rule being suspended, the bill was read the third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of N. W. Woodfin, &c., was need the second time, amended, and passed; the rule being suspended, said resolution was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the Senate's amendment.

The engrossed bill to amend an act to incorporate the town of Edenton, was read the second time; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

A resolution in favor of G. W. Bullard, was read the second

and third time, under a suspension of the rule, passed, and ordered to be engrossed.

The bill for the better regulation of the town of Wadesborough was read the second and third time, under a suspension of the rule, amended, and passed, and ordered to be engrossed.

Mr. Davis introduced a bill to extend the corporate limits of the city of Raleigh, which was read the first time and passed.

The resolution in favor of James M. McGowan, was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The bill for the completion of the improvements on Tar river, was read the second time, and postponed until the 4th day of July next.

The bill to establish the boundaries of the town of Beaufort; and The resolution in favor of B. F. Moore and A. Biggs, were severally read the second time and passed; the rule being suspended, said bill and resolution were read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Salem Savings Institute; and

The bill to amend an act passed in 1852-'53, entitled an act to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company, were severally read the first time and passed; the rule being suspended, said bills were read the second and third time, passed, and ordered to be engrossed.

The engrossed bill to prevent obstructing the passage of fish up New River, in the counties of Ashe and Catawba; and

The resolution in favor of W. J. Potter, were read the second time, and postponed until the 4th day of July next.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed resolution, in which it asks the concurrence of the House, viz:

A resolution in favor of B. F. Moore and A. Biggs.

The bill to amend an act entitled an act to incorporate the Greensboro' Mutual Insurance Company, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Cheoih Turnpike Company, was read the third time and passed; yeas 22, nays 4.

· Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Christian, Davis, Eaton, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Haughton, McDowell, Morisey, Oldfield, Person, Speight, Thomas of Jackson, Walker, Wilder and Wood—22.

Those who voted in the negative, are,

Messrs. Brogden, Cunningham, Martin, and Willey-4.

So the bill passed its third reading, and was ordered to be engrossed.

The following engressed bills, viz:

'The bill for the better regulation of Elizabethton;

The bill to incorporate the Sulpher Springs and Paint Rock Turnpike Company, in Madison and Buncombe counties;

The bill to incorporate a plankroad from Statesville to Greens-boro';

The bill to incorporate the Richland and New River Plankroad Company;

The bill to establish a ferry across Black river, in New Hanover county;

The bill to extend the corporate limits of the town of Beaufort, in Carteret county;

The bill to incorporate the town of Jefferson, in the county of Ashe;

The bill authorizing the commissioners of the town of Salisbury to subscribe for stock in the Western Railroad Company;

The bill to authorize the corporation of the town of Charlotte to subscribe to certain Railroads; and

The bill to extend the limits of the town of Ashboro' were severally read the first time and passed; the rule being suspended, said bills were read the second and third time, passed, and ordered to be enrolled.

The resolution to loan money to the trustees of Spring Hill Academy, in Robeson county, was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend the charter of the town of Salisbury, was read the first time and passed; the rule being suspended, said bill was read the second third and time, amended and passed,

and a message sent to the House of Common, asking their concurrence in the amendments of the Senate.

The resolution authorizing the literary board to loan money to the Franklin Female Academy, in the town of Macon, was now taken up, read, and rejected.

The engrossed resolution concerning the patients of the Deaf, Dumb, and Blind Asylum, in the City of Raleigh, was read the first time and postponed until the 4th day of March next.

The resolution in favor of H. D. Turner was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Holtsburg Manufacturing Company, in the county of Davidson, was read the first time and passed.

The engrossed bill to prevent obstructions to the free passage of fish in Shooting creek, in the county of Mecklenburg, was read the first time and passed; the rule being suspended, said bill was read the second time, passed, and referred to the committee on the judiciary.

A message was sent to the House of Commons stating that the Senate have passed the following bills, in which they ask the concurrence of the House, viz:

A bill to amend letters patent granted to Wm. H. Winder and others, and for other purposes.

The engrossed bill to repeal an act authorizing Josiah O. Watson, of Johnston county, to construct a dam on Neuse River, passed at the session of 1850-51, was read the first time, passed, and referred to the committee on the judiciary.

Mr. Thomas of Jackson introduced a resolution authorizing the agent of Cherokee bonds to pay costs on suits dismissed on the part of the State, which was read the first time, passed, and referred to the committee on the judiciary.

The engrossed resolution to furnish shelves in the engrossing clerk's room was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

On motion, the Senate adjourned.

SATURDAY, FEBRUARY 10, 1855.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the memorial relating to pilots, reported adversely on the same and asked to be discharged from its further consideration. Discharged accordingly.

Mr. Boyd, from the same committee, to whom was referred the bill to cause railroad companies to fence their tracks in this State, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

The bill further to prohibit the trading with slaves in Mecklenburg county was read the third time, amended and passed.

On motion, the title of the bill was amended so as to read "a bill further to prohibit the trading with slaves in Mecklenburg and Northampton counties."

Ordered, That said bill be engrossed.

Mr. Morisey moved a reconsideration of the vote by which was rejected the bill to incorporate the Moore and Montgomery Plankroad Company. The motion was agreed to.

And the question, Shall the bill pass its third reading? was determined in the affirmative; yeas 18, nays 16.

Those who voted in the affirmative, are,

Messrs. Christian, Coleman, Davis, Faison, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Lane, Mitchell, Morisey, Person, Thomas of Davidson and Wood—18.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Brogden, Collins, Cunningham, Eaton, Herring, Jones, McClees, Martin, Oldfield, Sanders, Taylor, Walker, and Willey—16.

The bill to incorporate the Shocco Springs Company, of the county of Warren, was read the second time, amended, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Biggs introduced a bill in relation to the superior court of law of Tyrrell county, which, under a suspension of the rule, was read the first, second, and third time, passed, and ordered to be engrossed.

A message was sent to the House of Commons stating that the Senate have passed the following bills, in which they ask the concurrence of that body, viz: A bill to incorporate the trustees of the Mariner's Orphan Asylum and Institute, in the county of Carteret;

A bill to increase the capital stock of the bank of Charlotte;

A bill supplemental to an act, entitled an act to lay off and establish a county by the name of Wilson;

A bill to incorporate the Albemarle and Pamlico Railroad Company; and

A bill to amend an act, entitled an act to incorporate the Greensboro' Mutual Insurance Company.

The resolution concerning the Farmer's Bank of the State of North Carolina was now taken up, and read the second time.

Mr. Haughton moved that said resolution be laid on the table; which motion prevailed; yeas 27, nays 11.

Mr. Brogden called the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Boyd, Christian, Coleman, Collins, Davis, Eborn, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Hoke, Jones, Lane, Morisey, Oldfield, Person, Speight, Tayloe, Thomas of Davidson, Walker, Willey and Wood—27.

Those who voted in the negative, are,

Messrs. Bower, Brogden, Clark, Cunningham, Eaton, Herring, McClees, Martin, Mitchell, Taylor and Wilder—11.

Mr. Hoke, from the committee on the judiciary, to whom was referred the resolution authorizing the agent of Cherokee bonds to pay costs on suits dismissed on the part of the State, reported adversely on the same.

Mr. Hoke, from the said committee, to whom was referred the bill to prevent obstructions to the free passage of fish in Shooting creek, in the county of Cherokee, made an adverse report thereon:

Whereupon, said bill was read and rejected.

Mr. Hoke, from the same committee, to whom was referred the bill to repeal an act authorizing Josiah O. Watson, of Johnston county, to construct a dam on the Neuse river, passed in 1850-'51, reported the same back to the Senate, and recommended its passage.

The bill to alter the line between the counties of Buncombe and Madison, was read the second time and rejected.

The Senate now took up for consideration, the engrossed bill

concerning the revenue of the State, which was read the third time.

On motion by Mr. Haughton, the amendments made to the bill on its second reading, were severally stricken out, and the bill restored to the original shape, in which it passed the House of Commons.

On the question to insert the 14th section of the bill, which had been stricken out, the vote stood, yeas 25, nays 14.

Those who voted in the affirmative, are,

Messrs. Ashe, Christian, Clark, Coleman, Collins, Cunningham, Eaton, Fennell, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Jones, Lane, Mitchell, Morisey, Taylor, Tayloe, Thomas of Davidson, Walker, Wilder, Willey and Wood—25.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Eborn, Faison, Fonville, Herring, McDowell, Martin, Oldfield, Person, Sanders and Speight—14.

On the question to insert so much of said bill as lays a tax on distilleries of turpentine.

The vote stood, yeas 24, nays 13.

Mr. Herring demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Bower, Coleman, Cunningham, Davis, Eaton, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Jones, Lane, Martin, Mitchell, Morisey, Taylor, Tayloe, Thomas of Davidson, Walker, Wilder, Willey and Wood—24.

Those who voted in the negative, are,

Messrs. Speaker, Biggs, Boyd, Clark, Faison, Fennell, Fonville, Herring, Hoke, McClees, McDowell, Oldfield and Sanders—13.

The Speaker was permitted by the Senate to record his vote in the negative.

Mr. Clark moved to amend the bill, by inserting in the 7th line of 36th section the words "agricultural implements."

The motion was lost.

The question now recurred on the passage of the bill its third time, and was determined in the affirmative; yeas 26, nays 15,

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Christian, Coleman, Collins, Cunningham, Davis, Eaton, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Jones, Lane, Mitchell, Morisey, Oldfield, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Walker and Wood—26.

Those who voted in the negative, are,

Messrs. Ase, Brogden, Clark, Eborn, Faison, Fonville, Herring, McClees, McDowell, Martin, Person, Rayner, Sanders, Speight and Willey—15.

So the bill passed its third reading, and was ordered to be enrolled.

Mr. McDowell, from the committee on corporations, reported favorably on the bill to incorporate the Consolidated Gold Mining Company; which was read the third time and passed, and ordered to be engrossed.

Mr. McDewell, from the same committee, to whom was referred the bill to incorporate the Charlotte Gold Mining Company,

The bill to incorporate the Chapel Hill Gold Mining Company; and

The bill to incorporate Union Gold Mining Company, reported said bills back to the Senate, and recommended their passage.

Under a suspension of the rule, the bills were severally read the second and third time, passed, and ordered to be engrossed.

The engrossed resolution in favor of Abner Walker, was read the second time and passed; the rule being suspended, said resolution was read the third time, passed, and ordered to be enrolled.

The bill to extend the corporate limits of the City of Raleigh, was read the second time, and laid on the table.

Received a message from the House of Commons, asking the concurrence of the Senate in the engrossed resolution in relation to the directors of the Lunatic Asylum.

The resolution was read, and laid upon the table.

Also a message informing that the House of Commons concur in the amendments proposed by the Senate to the bill to incorporate the Wilmington Savings Institute; and

The resolution in favor of W. H. Winder.

Ordered, That said bill and resolution be enrolled.

Also a message, asking the concurrence of the Senate to the

amendments of the House to the engrossed bill to incorporate the Newbern Mutual Insurance Company; and

The engrossed resolution concerning the engrossing clerk.

The amendments were agreed to, and the House of Commons informed thereof by message.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The bill to amend an act passed at the session of 1850-'51, entitled an act to incorporate the Tuckasege and Nantahala Turnpike Company was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

The resolution directing the public treasurer not to receive small notes was taken up and ordered to be laid on the table.

The bill to limit the term of the chairmen of the board of superintendents of common schools was taken up and postponed until the 4th day of July next.

The bill to incorporate Union Bank was read the second time and laid on the table.

The bill to authorize the public treasurer of this State to endorse the bonds of the Neuse River Navigation Company was read the second time.

Mr. Wood moved to fill the blank in said bill with the sum of twenty thousand dollars, which motion was lost.

Mr. Speight moved that the bill be indefinitely postponed, which motion prevailed; yeas 18, nays 10.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Eaton, Faison, Freeman, Herring, Hoke, Jones, Martin, Mitchell, Oldfield, Speight, Taylor, Walker and Willey—18.

Those who voted in the negative, are,

Messrs. Boyd, Christian, Cunningham, Fisher, Gilmer, Graham, Graves, Lane, Thomas of Davidson and Wood—10.

So the bill was indefinitely postponed.

The bill concerning fishing on Tar and Pamlico Sounds was read the second time and rejected.

The bill to incorporate the Lexington and North Carolina

Railroad Company was read the second time, amended and rejected.

The bill supplemental to an act entitled an act to establish a new county by the name of Harnett was read the second time, amended and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Hoke, from the committee on the judiciary, to whom was referred the engrossed bill supplemental and amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike Road, made an unfavorable report thereon.

Whereupon the bill was rejected.

Received a message from the House of Commons informing that they have passed a substitute for the engrossed bill concerning public printer, in which they ask the concurrence of the Senate.

Mr. Eaton moved a reference of the bill and amendment to the committee on the judiciary, which motion did not prevail.

Mr. Graham moved to amend the amendment by striking out the first section. The motion was lost; yeas 15, nays 16.

Mr. Davis demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Christian, Davis, Eaton, Fisher, Freeman, Gilmer, Graham, Haughton, McClees, Mitchell, Sanders, Taylor, Thomas of Davidson and Wood—15.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Faison, Fonville, Graves, Herring, Jones, Martin, Oldfield, Speight and Walker—16.

Mr. Graham moved to postpone the consideration of the subject until Monday next.

The motion was lost.

Mr. Biggs moved that the Senate agree to the substitute, which motion was carried; yeas 19, nays 15.

Mr. Davis demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Coleman, Cunningham, Faison, Fisher, Fonville, Graves, Herring, Jones,

Martin, Oldfield, Speight, Thomas of Jackson, Walker and Wood-19.

Those who voted in the negative, are,

Messrs. Ashe, Christian, Davis, Eaton, Gilmer, Graham, Haughton, Lane, McClees, McDowell, Mitchell, Morisey, Sanders, Taylor and Thomas of Davidson—15.

So the substitute was agreed to, and the House of Commons informed thereof by message.

The bill to repeal an act authorizing Josiah O. Watson, of Johnston county, to construct a dam on Neuse river, passed at the session of 1850-'51, was read the second time and passed.

The bill to amend an act incorporating the Tuckasege and Keowee Turnpike Company, in the county of Jackson, was read tha second time and passed; the rule being suspended, said bill was read the third time and rejected.

The bill to provide for completing a survey for a railroad west from the French Broad river to the Tennessee river, at or near Duck Town Copper Mines, was read the second time and passed; the rule being suspended, said bill was read the third time.

Mr. Martin moved that said bill be postponed until the 25th day of December next.

The motion was lost.

The question now recurred on the passage of the bill its third reading, and was determined in the affirmative; yeas 17, nays 15.

The yeas and nays being demanded,

Those who voted in the affirmative, are,

Messrs. Ashe, Boyd, Christian, Clark, Davis, Fisher, Fouville, Freeman, Gilmer, Graves, Haughton, Hoke, Lane, Mitchell, Tayloe, Thomas of Jackson and Wood—17.

Those who voted in the negative, are,

Messrs. Brogden, Cunningham, Eaton, Eborn, Faison, Herring, McClees, McDowell, Martin, Morisey, Oldfield, Sanders, Speight, Taylor and Willey—15.

Ordered, That the bill be engrossed.

A message was sent to the House of Commons, informing that the Senate has passed the following engrossed bills, and asks the concurrence of the House therein, viz:

A bill to incorporate Union Gold Mining Company;

A bill to incorporate the Consolidated Mining Company;

A bill to incorporate the Chapel Hill Mining Company; and A bill to incorporate the Charlotte Mining Company.

Mr. Haughton introduced a bill, supplemental to, and explanatory of an act, entitled an act concerning revenue, passed at the present session of the General Assembly, which was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

Mr. Biggs introduced a bill, explanatory and amendatory of the act passed at the present session of the General Assembly, entitled an act concerning revenue, which, under a suspension of the rule, was read the first, second and time, passed, and ordered to be engrossed.

Mr. Fisher introduced a resolution in favor of the public treasurer, which was read the first time and passed.

On motion, leave of absence was granted to Mr. Freeman, from and after Monday next.

The Senate now adjourned until Monday morning 10 o'clock.

MONDAY, FEBRUARY 12, 1855.

The Speaker announced that Messrs. Wilder, Davis and Herring, constitute the Senate's branch of the committee on enrolled bills for the present week.

On motion, Messrs. Clark, Jones and McClees, were added to the committee on enrolled bills the present week.

Mr. Biggs introduced a resolution concerning the act concerning revenue; which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be engrossed.

On motion by Mr. Biggs, the vote by which was passed the bill explanatory and amendatory of the act passed at the present session of the General Assembly, entitled an act concerning revenue, was reconsidered.

The bill was amended, and passed its third reading as amended, and was ordered to be engrossed.

Mr. Hoke moved a reconsideration of the vote by which was rejected the engrossed bill supplemental and amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike Road; which motion prevailed.

The bill was then read the second time, amended and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The bill relating to roads, bridges and ferries, &c., was read the second time and passed; the rule being suspended, said bill was read the third time and passed, and ordered to be engrossed.

The Senate now took up from the table the engrossed resolution in relation to the commissioners of the Lunatic Asylum; which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

Mr. Fisher, from the committee on internal improvements, submitted a detailed report on the subject; which was ordered to be printed.

A message was sent to the House of Commons, asking their concurrence in the following engrossed bills and resolutions, passed by the Senate, viz:

A bill explanatory and amendatory of the act passed at the present session of the General Assembly, entitled an act concerning revenue;

A resolution in favor of Peter G. Evans;

A bill to amend an act to exempt persons residing on the Banks and Islands between Whalebone Inlet and Cape Hatteras from serving as jurors;

A resolution in favor of G. W. Bullard, of Cumberland county,

A bill to amend an act passed at the session of 1852-'53, to incorporate the Charleston Blue Ridge and Chattanooga Railroad Company;

A bill to amend an act passed at the session of 1825, entitled an act for the better government of the town of Wadesboro', in Anson county;

A bill to establish the boundaries of the town of Beaufort;

A bill to incorporate the Shocco Springs Company, in the county of Warren;

A bill to improve the navigation of the Roanoke river;

A bill concerning the superior court of law of Tyrrell county;

A bill to prohibit the trading with slaves in the counties of Mecklenburg and Northampton;

A bill to provide for completing the survey for a railroad from the French Broad river to the Tennessee line, at or near the Duck Town Copper Mine;

A bill to incorporate the Salem Savings Institute;

A resolution in favor of James M. McGowen;

A bill to amend an act, entitled an act to incorporate the Tuck-asege and Nantahala Turnpike Company, passed at the session of 1850-'51; and

A resolution concerning the act concerning revenue.

By unanimous consent,

Mr. Graham introduced a bill in regard to the North Carolina Central Gold and Copper Mining Company; which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The engrossed bill to incorporate the Alamance and Caswell Plankroad Company, was read the second time and passed; the rule being suspended, said bill was read the third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The engrossed bill to improve the road from John Kenneday's to the top of the Blue Ridge was now taken up, read the second time, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons agreeing to the amendments of the Senate to the bill to amend the charter of the town of Salisbury; and

The resolution in favor of N. W. Woodfin, &c.

Ordered, That the said bill and resolution be enrolled.

A message was sent to the House of Commons informing that the Senate have passed the following engrossed resolutions, in which they ask the concurrence of the Commons, viz:

A resolution in favor of George Young; and

A resolution in favor of the public treasurer.

Received a message from the House of Commons informing that they have passed the engrossed bill concerning salaries and fees with amendments, in which they ask the concurrence of the Senate.

Mr. Haughton moved that the Senate disagree to the amend-

ment proposed to reduce the salary of the comptroller from \$1,250 to \$1,000.

And the vote being taken on said motion to disagree, it was determined in the negative; yeas 16, nays 22.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Brogden, Christian, Cunningham, Davis, Eborn, Gilmer, Haughton, Lane, McClees, Mitchell, Person, Sanders, Taylor, Tayloe, Thomas of Davidson and Wilder—16.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Clark, Coleman, Collins, Eaton, Faison, Fisher, Graham, Graves, Herring, Hoke, Jones, Martin, Morisey, Oldfield, Rayner, Speight, Walker, Willey and Wood—22.

So the Senate agreed to the amendment.

The other amendments to the bill were also agreed to, and the House of Commons informed thereof by message.

Also a message stating that the House of Commons have passed the engrossed bill concerning the Revised Code with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House informed thereof by message.

Mr. Coleman, with leave, introduced a resolution in favor of George Young, which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be engrossed.

The engrossed bill for appointing commissioners in Watauga and Yancey counties to lay off a public road from the turnpike line to the county line of McDowell county, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

Mr. Thomas of Jackson, by leave, introduced a bill to amend the act of 1783, chapter 185, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Graham now called up the resolutions concerning the marine hospital, and moved to amend the same by striking out the two first resolutions.

The motion was agreed to, and the third resolution was read and passed the second time; the rule being suspended, said resolution was read the third time, passed, and ordered to be engrossed.

The bill to repeal an act authorizing Josiah O. Watson, of Johnston county, to construct a dam across Neuse River, passed at the session of 1852-'53, was read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons agreeing to the amendments proposed by the Senate to the bill supplemental to and amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike road.

. Ordered, That said bill be enrolled.

The engrossed bill to incorporate the Holtsburg Manufacturing Company, in the county of Davidson, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The bill supplemental to and explanatory of an act entitled an act concerning revenue was read the third time.

Mr. Graves moved to amend the 22d section of the bill by striking out 25 cents and inserting 10 cents, as the tax on negro traders.

Mr. Graham moved to amend the amendment by inserting 15 cents in lieu of 10 cents.

The amendment to the amendment was carried, and the amendment was adopted as amended.

The question now recurred on the passage of the bill, its third reading, and was determined in the affirmative; yeas 26, nays 7.

Mr. Ashe demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Christian, Coleman, Collins, Davis, Eaton, Faison, Fisher, Gilmer, Graham, Graves, Haughton, Herring, Jones, Martin, Morisey, Oldfield, Speight, Tayloe, Thomas of Jackson, Walker, Wilder and Wood—26.

Those who voted in the negative, are,

Messrs. Brogden, Eborn, Lane, Sanders, Taylor, Thomas of Davidson and Willey—7.

So the bill passed its third reading, and was ordered to be engrossed.

Mr. Haughton submitted the following resolution:

Resolved, (the House of Commons concurring,) That the joint resolution for the adjournment of the General Assembly, at 12 o'clock, M. the 14th instant, be rescinded, and that the General Assembly will adjourn on Saturday the 17th, at 12 o'clock, M.

The resolution was rejected; yeas 15, nays 21.

Those who voted in the affirmative, are,

Messrs. Ashe, Christian, Coleman, Davis, Eborn, Faison, Fisher, Gilmer, Graham, Haughton, McClees, Morisey, Thomas of Jackson and Wilder—15.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Collins, Junningham, Eaton, Graves, Herring, Jones, Lane, Martin, Oldfield, Person, Sanders, Speight, Taylor, Tayloe, Willey and Wood—21.

The Senate now took up the resolution concerning the Farmer's Bank, which was read the second time.

Pending the consideration of which,

The Senate took a recess until 3 o'clock.

Three o'clock, P. M.

The following engrossed bills were read the first time and passed, viz:

The bill to incorporate the Trenton and Hallsville Plankroad Company;

The bill to incorporate the New Hope Academy, in the county of Chatham; and

The bill to incorporate the Chapel Hill and Durhamsville Plankroad and Turnpike Company.

The rule being suspended, said bills were read the second and third time, passed, and ordered to be enrolled.

The Senate now resumed the consideration of the unfinished business of the morning, viz:

The resolution concerning the Farmer's Bank of North Carolina.

Mr. Graham moved the following amendment, as a substitute, viz:

Resolved, That this General Assembly views with decided disapprobation, the course of the Farmer's Bank of North Carolina, in permitting its cashier to issue certificates of deposit, of the denomination of one and two dollars, with ornaments and devices,

showing that they were designed to circulate as money; and that, but for the order of the directory of said bank, forbidding this practice at an early day after it had commenced, this General Assembly would now direct a prosecution against said bank, with a view to the deprivation of its charter.

Resolved further, That the solicitor for the State in the first circuit, be instructed to enquire into the proceedings aforesaid, and to institute prosecutions against the cashier, and any other person or persons connected with said bank, who, in his opinion, may be liable to indictment for participating in the abuses aforesaid.

Mr. Haughton moved to amend the amendment, by striking out "Cashier," which motion was lost.

Mr. Person moved to amend the amendment, by striking out the 2d resolution.

The motion did not prevail.

Mr. Person moved that the resolution be postponed until the 4th day of March next.

The motion was lost; yeas 6, nays 32.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Christian, Davis, Gilmer, Person, Rayner and Thomas of Davidson—6.

Those who voted in the negative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Brogden, Clark, Coleman, Collins, Cunningham, Eaton, Eborn, Faison, Fisher, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McClees, Martin, Mitchell, Morisey, Oldfield, Sanders, Speight, Taylor, Tayloe, Thomas of Jackson, Wilder and Wood—32.

The question was now taken on the adoption of the amendment, which was agreed to; yeas 28, nays 11.

Mr. Wilder demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Christian, Coleman, Collins, Davis, Eborn, Gilmer, Graham, Jones, Lane, McClees, Martin, Mitchell, Morisey, Person, Rayner, Sanders, Speight, Taylor, Tayloe, Thomas of Davidson, Thomas of Jackson, Willey, Winslow and Wood—28.

Those who voted in the negative, are,

Messrs. Brogden, Clark, Cunningham, Eaton, Faison, Graves, Haughton, Herring, Hoke, Oldfield and Wilder—11.

The resolution then passed as amended, and was ordered to be engrossed.

Mr. Fisher, with leave, introduced a bill, supplemental to an act passed at this session, entitled an act to incorporate the Yadkin Navigation Company, which was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The resolution directing the public treasurer not to receive small bank bills, was read and adopted; yeas 19, nays 15.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Clark, Collins, Eaton, Ebern, Jones, McClees, Martin, Mitchell, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Wilder, Willey and Wood—19.

Those who voted in the negative, are,

Messrs. Ashe, Boyd, Brogden, Christian, Coleman, Cunningham, Davis, Faison, Gilmer, Graham, Graves, Haughton, Herring, Lane and Morisey—15.

Ordered, That the resolution be engrossed.

Received a message from the House of Commons, informing that they have passed the following engrossed resolution, in which they ask the concurrence of the Senate, viz:

A resolution in favor of the Wilmington and Raleigh Railroad Company; which was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

On motion by Mr. Wilder,

Ordered, that a message be sent to the House of Commons, to double the number of the committee on enrolled bills for each House.

The engrossed resolution in favor of J. W. Garland, was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

Mr. Haughton submitted the following resolution, viz:

Resolved, (the House of Commons concurring,) That a committee of two on the part of each House be appointed to inquire

and report whether the business before the two Houses of the General Assembly can be accomplished by Wednesday, the 14th instant, at 12 o'clock, M.

The resolution was adopted; yeas 15, nays 10.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Coleman, Davis, Eaton, Faison, Gilmer, Haughton, Hoke, Mitchell, Morisey, Rayner, Sanders, Thomas of Jackson, Wilder and Wood—15.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Collins, Cunningham, Jones, Oldfield, Speight and Willey—10.

The engrossed bill to remodel the county courts of Cumberland and New Hanover, was read the first time and passed, and referred to the committee on the judiciary.

On motion, leave of absence was granted to Messrs. Willey and N. Winslow, from and after to-day, for the residue of the session; and Mr. Hoke, from and after Wednesday next.

The engrossed resolution in favor of Bartlett Upchurch, of Wake county, was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to alter the times of holding the courts in the 6th judicial circuit, was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

On motion by Mr. Brogden, the vote by which was rejected the bill to amend an act incorporating the Tuckasege and Keowee Turnpike Company, was reconsidered, and the bill passed its third reading; and was ordered to be engrossed.

Seven o'clock, P. M.

The engrossed bill to incorporate the Atlantic, Tennessee and Ohio Railroad Company, was read the first time and passed.

A message was received from the House of Commons, stating that it concurs in the proposition of the Senate to raise a joint selet committee of two on the part of each House to examine the business before the two Houses, and report on the time for ad-

journment; and that Messrs. Outlaw, and Bynum, of Northampton, constitute the House branch of said committee.

The House of Commons were informed that the Senate's branch of the committee consists of Messrs. Haughton and Faison.

The Senate now proceeded to consider the bill to incorporate the Nantahala Gold and Copper Mining Company of North Carolina; which was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, agreeing to the amendment proposed by the Senate to the bill to incorporate the Alamance and Caswell Plankroad Company.

Ordered, That said bill be enrolled.

The bill to appoint a superintendent for the Western Turnpike road, and for other purposes, was read the second time; the amendment proposed as a substitute adopted, and the bill passed its second reading as amended.

The following engrossed resolutions were severally read the first time and passed, viz:

The resolution in favor of Holston Female College;

The resolution authorizing the literary board to loan Laurensburg High School, in Richmond county, the sum of \$2,000; and

The resolution to authorize the literary board to loan \$1,000 to Robeson Institute, were severally read the second time and passed; the rule being suspended, said resolutions were read the third time and postponed until the 4th of March next.

The engrossed resolution to loan \$500 to the trustees of Spring Hill Academy, in Robeson county, was read the first time and postponed until the 4th day of July next.

The engrossed resolution in favor of A. H. Sanders;

The engrossed resolution in favor of W. A. Winborne;

The engrossed resolution in favor of Reuben Watts; and

The engrossed resolution in favor of J. M. Carroll, were severally read the first time and passed.

The engrossed resolution in favor of J. W. Erwin was read the first time and passed; the rule being suspended, said resolution was read the second time and passed.

The engrossed bill to incorporate the Laurel Turnpike Com-

pany was read the first time and passed; under a suspension of the rule, said bill was read the second and third time, amended and passed, and a message sent to the House of Commons asking their concurrence in the Senate's amendments.

The engrossed bill to correct the errors committed in entries of lands in the counties of Macon and Cherokee was read the first time and passed; the rule being suspended, said bill was read the second time and referred to the committee on the judiciary.

Mr. Haughton, from the joint select committee to inquire into the business before the General Assembly and to report on the time of adjournment, reported the following resolution, viz:

Resolved, That the joint resolution of the two Houses proposing to adjourn on Wednesday, the 12th instant, 12 o'clock, M., be rescinded, and that this General Assembly will adjourn on Saturday, the 17th instant, at 12 o'clock, M.

Mr. Bower moved that the resolution be laid on the table, which motion was lost; yeas 14, nays 23.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Clark, Collins, Cunningham, Eaton, Graves, Herring, Jones, Lane, Person, Speight and Willey—14.

Those who voted in the negative, are,

Messrs. Ashe, Brogden, Christian, Coleman, Davis, Eborn, Faison, Fisher, Gilmer, Graham, Haughton, Hoke, McClees, Martin, Mitchell, Morisey, Rayner, Sanders, Tayloe, Thomas of Davidson, Thomas of Jackson, Wilder and Wood—23.

So the Senate refused to lay upon the table.

Mr. Clark called for a division of the question, which motion was lost.

The resolution was now adopted; yeas 23, nays 12.

Those who voted in the affirmative, are,

Messrs. Ashe, Brogden, Christian, Coleman, Davis, Eborn, Faison, Fisher, Gilmer, Graham, Haughton, Herring, Hoke, McClees, Martin, Morisey, Rayner, Sanders, Tayloe, Thomas of Davidson, Thomas of Jackson, Wilder and Wood—23.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Clark, Collins, Cunningham, Eaton, Graves, Lane, Person, Speight and Willey—12.

The engrossed bill to authorize the Governor to furnish weights and measures for the county of Yadkin, was read the first time and indefinitely postponed.

Mr. Graham, from the committee on the judiciary, to whom was referred the bill to amend the act of 1783, chapter 185, reported the same back to the Senate and asked to be discharged from its further consideration. Discharged accordingly.

The engrossed bill to incorporate the Morning Sun Academy, in the county of Wake, was read the first time and passed; the rule being suspended, said bill was read the second time and laid on the table.

On motion by Mr. Clark, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, FEBRUARY 13, 1855.

Mr. Eaton, from the committee on the judiciary, to whom was referred the engrossed bill to remodel the county court in the counties of Cumberland and New Hanover, reported the same back to the Senate, and recommended its rejection.

Mr. Wilder, from the committee on public buildings, to whom was referred certain communications on the subject of repairing the statue of Washington, and, a resolution respecting the grading of the earth around the Capitol, reported the same back to the Senate, and asked to be discharged from the further consideration of the same. Discharged accordingly.

Mr. Collins, with leave, introduced a bill to confirm the election of certain officers for the town of Louisburg, in Franklin county; which was read the first time, and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be engrossed.

The engrossed bill supplemental to an act passed at the present session of the General Assembly, entitled an act to incorporate the Wilmington and Charlotte Railroad Company, was read the first time, and passed; the rule being suspended, said bill was read the second time and passed; the bill was read the third time, and laid on the table.

Mr. Graham introduced a resolution in relation to a statute of Washington; which was read the first time, and passed; the rule

being suspended, said resolution was read the second and third time, passed, and,

Ordered, To be engrossed.

Received a message from the House of Commons, stating that they have passed the engrossed bill to incorporate the Indian Grave Gap Turnpike Company, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

The engrossed bill to incorporate the Gold Hill Mining Company, was read the first time, and passed.

Received a message from the House of Commons, concurring in the proposition to rescind the resolution to adjourn on the 14th instant; and agreeing to the joint resolution to adjourn on Saturday next, at 12 o'clock, M.

A message was sent to the House of Commons, stating that the Senate has psssed the following engrossed resolution:

A resolution in relation to a statue of Washington, in which it asks the concurrence of that body.

Mr. Coleman, from the select committee, to whom was referred the engrossed resolution concerning a flag, reported the same back to the Senate, with an amendment.

Ordered, That said resolution be re-committed.

On motion, by Mr. Hoke, the Senate now took up the engrossed bill supplemental to an act passed at the session of the present General Assembly, entitled an act to incorporate the Wilmington and Charlotte Railroad Company; which passed its third reading; yeas 23, nays 8.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Ashe, Biggs, Bower, Boyd, Christian, Coleman, Collins, Davis, Faison, Fisher, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, Martin, Mitchell, Morisey, Tayloe, Thomas of Jackson, and Wood—23.

Those who voted in the negative, are,

Messrs. Brogden, Cunningham Eaton, Eborn, Rayner, Sanders, Speight, and Taylor—8.

Ordered, That said bill be enrolled.

Received a message from the House of Commons, informing

that they have passed the engrossed bill to incorporate the Bank of Wilmington, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

The following engrossed bills, under a suspension of the rule, were severally read the first, second and third time, passed, and ordered to be enrolled, viz:

The bill to increase the pay of witnesses in the county of Onslow;

The bill to revive and continue in force an act, entitled an act to appoint commissioners for the town of Haywood, in the county of Chatham, and for the better regulation of the same;

The bill to emancipate Betty, a slave; and

The bill to aid in the completion of the road from Vanhoy's mill through Ashe to the Virginia line.

The engrossed bill to incorporate Camden and Pasquotank New Cut Canal Company, was read the first time and passed; the rule being suspended, said bill was read the second time and rejected; yeas 12, nays 19.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Brogden, Christian, Coleman, Eaton, Gilmer, Graham, Jones, Person, Rayner, Tayloe and Wilder—12.

Those who voted in the negative, are,

Messrs. Bower, Boyd, Clark, Collins, Cunningham, Davis, Eborn, Faison, Graves, Haughton, Herring, Lane, McClees, Martin, Morisey, Speight, Taylor, Thomas of Jackson, and Wood—19.

Mr. Davis moved a reconsideration of the vote just taken, by which the said bill was rejected.

The motion prevailed.

Mr. Oldfield moved to suspend the rule, to enable him to introduce a bill to incorporate a bank at Beaufort; which motion was not agreed to.

Mr. Lane moved a reconsideration of the vote by which was postponed a resolution authorizing a loan by the literary board to the Robeson Institute; which motion was not carried.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The engrossed bill to incorporate the trustees of the Kinston Female College, in the county of Lenoir, was read the first time and passed; the rule being suspended, said bill was read the second time, and postponed until the 5th day of March next.

On motion, leave of absence was granted to Messrs. Lane and Oldfield from and after Wednesday next.

The engrossed bill to incorporate the Rutherford and McDowell Plankroad and Turnpike Company, was read the first time and passed.

The engrossed bill to appoint commissioners to lay off and improve the public road leading from Brown's ford on the Yadkin, in Wilkes county, to Weatherspoon's ford, in Caldwell county, was read the first time and passed.

The engrossed bill to amend the 8th section of the 60th chapter of the Revised Code, entitled inspectors, was read the first time and passed; the rule being suspended, said bill was read the second time and passed, and laid on the table.

The engrossed bill to incorporate Carolina City, under a suspension of the rule, was read the first, second and third time, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The bill to authorize the appointment of a superintendent of the Western Turnpike, and for other purposes, was taken up, read the third time and passed, and ordered to be engrossed.

The engrossed bill to establish the county seat of Madison, was read the first time, passed, and referred to the committee on propositions and grievances.

The engrossed bill to fix and settle the dividing line between the counties of Chatham and Alamance, was read the first time and passed; the rule being suspended, said bill was read the second time and rejected.

The engrossed bill to incorporate Camden and Currituck New Cut Canal Company, was now taken up, and passed its second reading; the rule being suspended, said bill was read the third third time and passed; yeas 18, nays 6.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Christian, Davis, Eaton,

Fisher, Gilmer, Jones, Mitchell, Person, Rayner, Sanders, Speight, Taylor, Tayloe, Wilder and Wood—18.

Those who voted in the negative, are,

Messrs. Boyd, Cunningham, Eborn, Herring, McClees, and Oldfield—6.

Ordered, That said bill be enrolled.

The following engrossed bills and resolutions were severally read the first time, and passed, viz:

The bill to lay off and improve a public road from the forks of Ivey to the top of the dividing ridge in Madison county;

The bill to incorporate the Pasquotank and Perquimons Plank Road and Turnpike Company;

The resolution in favor of Warren L. Pomery;

The bill to increase the pay of jurors in New Hanover, Brunswick, Pasquotank, Rowan, and Cleaveland counties;

The bill concerning the town of Rutherfordton;

The bill to amend an act passed at the session of 1852-'53, entitled an act concerning the place of trial for civil process returnable before justices of the peace;

The bill to amend the charter of the Charlotte and South Carolina Railroad Company;

The bill to incorporate the trustees of the Granville Institute;
The bill to prevent the obstruction of the passage of fish in the waters of South River and Adam's Creek; and,

The bill to prescribe and require an oath of office for the town magistrate of the town of Wilmington, and for other purposes.

The rule being suspended, said bills were severally read the second and third time, and passed, and ordered to be enrolled.

Mr. Haughton asked leave to introduce a bill to make provision for printing the journals, acts and resolutions of the present General Assembly; and the same being objected to, he then moved a suspension of the rule, for the purpose of introducing said bill.

The motion was lost; yeas 11, nays 20.

Mr. Haughton demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Christian, Davis, Eborn, Gilmer, Graham, Haughton, McClees, Mitchell, Morisey, Rayner, and Tayloe—11.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Collins, Cunningham, Eaton, Faison, Fisher, Herring, Jones, Oldfield, Person, Sanders, Speight, Taylor, Thomas of Jackson, Wilder, and Wood—20.

So the Senate refused to suspend.

The engrossed bill to incorporate the Gold Hill Mining Company, under a suspension of the rule, was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to permit the exportation of oysters under certain circumstances, was read the first time and passed; the rule being suspended, said bill was read the second time and passed.

Mr. Sanders moved that when the Senate adjourns, it adjourn until to-morrow 10 o'clock.

The motion was carried.

The engrossed bill to prevent the felling of timber in the North-East River in Duplin county was read the first time, and passed; the rule being suspended, said bill was read the second and third time, amended and passed; and a message sent to the House of Commons, asking their concurrence in the Senate's amendments.

The engrossed resolution in favor of Reuben Watts; and,

The engrossed resolution in favor of W. A. Winbourne, were severally read the second time, and passed; the rule being suspended, said resolutions were read the third time, passed, and ordered to be enrolled.

The engrossed bill to prevent the felling of timber in Brush creek, in Randolph county, was read the first time and passed; the rule being suspended, said bill was read the third time and passed.

The engrossed bill to increase the production of oysters in North Carolina was read the first time and passed; the rule being suspended, said bill was read the second time and referred to the committee on the judiciary.

The engrossed bill to incorporate the Lawrence Hotel, in the City of Raleigh; and

The engrossed bill to incorporate the Raleigh and Cape Fear Plankroad Company were read the first time and passed; the rule being suspended, said bills were read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to authorize Samuel W. Chadwick, late

sheriff of Craven county, to collect arrears of taxes due him, was read the first time and passed; the rule being suspended, said bill was read the second time and passed; the bill was then read the third time.

Mr. Eaton moved to amend the bill by striking out "1851," which motion was lost.

The bill then passed its third reading and was ordered to be enrolled.

On motion, the Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, FEBRUARY 14, 1855.

The engrossed bill to incorporate the Rutherford and McDowell Plankroad and Turnpike Company;

The engrossed resolution in favor of A. H Sanders, late sheriff of Montgomery county; and

'The engrossed bill to appoint commissioners to lay off and improve the public road leading from Brown's ford, on the Yadkin, in Wilkes county, to Witherspoon's ford, in Caldwell county, were severally read the second time and passed; the rule being suspended, said bills were read the third time, passed, and ordered to be enrolled.

The vote by which the engrossed bill to authorize the Governor to furnish weights and measures to the county of Yadkin was rejected was reconsidered, and said bill read the second and third time, under a suspension of the rule, amended, and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

The engrossed bill to alter the times of holding the courts in the sixth judicial circuit;

The engrossed bill to incorporate Spring Hill Academy, in the county of Wake; and

The engrossed bill to permit the exportation of oysters under certain circumstances, were severally read the third time and ordered to be enrolled.

The engrossed bill to secure architects and mechanics compensation for labor and materials in the counties of New Hanover, Pitt, Cumberland, Robeson, Warren and Sampson, was read the first time and passed; the rule being suspended, said bill was read

the second time and referred to the committee on the judiciary.

The engrossed bill in favor of J. W. Erwin was read the third time, amended on motion by Mr. Person, and passed its third reading as amended, and a message sent to the House of Commons asking their concurrence in the Senate's amendment.

The engrossed bill to prevent the felling of timber in Big Brush creek, in Randolph county, was read the second and third time, under a suspension of the rule, passed, and ordered to be enrolled.

Received a message from the House of Commons stating that they concur in the amendments of the Senate to the engrossed bill to incorporate the Carolina City Company;

The engrossed bill to prevent the felling of timber in the North East River, in Duplin county; and

The engrossed bill to incorporate the Laurel Turnpike Company.

Ordered, That said bills be enrolled.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the engrossed bill to establish the county seat of Madison county, reported the same back to the Senate with amendments.

The bill was read the second time.

Mr. Davis moved that the bill be indefinitely postponed, which motion was lost.

The bill was then amended, and passed its second reading as amended.

The engrossed bill to provide adequate compensation for certain officers of the State was read the first time and passed; the rule being suspended, said bill was read the second time.

Mr. Rayner moved to amend the bill as follows, viz., strike out all after the enacting clause and insert the following as a substitute, viz:

That from and after the first day of January, A. D. eighteen hundred and fifty-five, (1855) the annual salary of the following officers of the State shall be as follows, that is to say:

The comptroller of public accounts twelve hundred and fifty dollars, and no more; and

The secretary of State, twelve hundred dollars, and his usual fees.

The amendment was adopted, and the bill passed its second reading, as amended; the rule being suspended, said bill was read the third time and passed; yeas 22, nays 10.

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Christian, Coleman, Davis, Eaton, Eborn, Faison, Fisher, Gilmer, Graham, Haughton, Mcclees, Mitchell, Morisey, Person, Rayner, Taylor, Tayloe, Thomas of Jackson, and Wood—22.

Those who voted in the negative, are,

Messrs. Brogden, Clark, Collins, Cunningham, Herring, Jones, Martin, Oldfield, Speight and Wilder—10.

So the bill passed its third reading, as amended.

Ordered, That a message be sent to the House of Commons, asking their concurrence in the amendment of the Senate.

A message was received from the House of Commons, concurring in the amendments of the Senate to the engrossed bill to authorize the Governor to furnish weights and measures for the county of Yadkin, &c.

Ordered, That said bill be enrolled.

Mr. Coleman introduced a memorial concerning the boundary of Madison, &c.; which was referred to the committee on propositions and grievances.

On motion by Mr. Graham, the vote by which the engrossed bill to fix and settle the dividing line between Chatham and Alamance was rejected, was reconsidered, and the bill read the second and third time, under a suspension of the rule, passed, and ordered to be enrolled.

The engrossed bill to amend the 8th section of the 60th chapter of the Revised Code, entitled inspectors, was now taken up, read the third time, passed, and ordered to be enrolled.

The engrossed bill to emancipate Albert, a slave, was read the first time and passed; the rule being suspended, said bill was read the second time—and the yeas and nays being demanded on the passage of the bill its second reading, the vote stood as follows, viz: yeas 16, nays 16.

Those who voted in the affirmative, are,

Messrs. Bower, Brogden, Christian, Davis, Eborn, Faison, Fisher, Gilmer, Graham, Haughton, McClees, Martin, Mitchell, Person, Tayloe and Thomas of Jackson—16.

Those who voted in the negative, are,

Messrs. Biggs, Boyd, Clark, Coleman, Collins, Cunningham, Eaton, Herring, Jones, Morisey, Oldfield, Sanders, Speight, Taylor, Wilder and Wood—16.

There being a tie, the Speaker voted in the affirmative, and the bill passed its second reading.

Received a message from the House of Commons, informing that they have passed the engrossed bill to recharter the Bank of Cape Fear, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreeed to, and the House of Commons informed thereof by message.

Mr. Gilmer now called up for consideration the bill to incorporate the Bank of Greensboro'; said bill being on its second reading.

Mr. Wilder moved that the bill be indefinitely postponed.

On which motion, the vote stood as follows: yeas 14, nays 14. Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Cunningham, Eaton, Herring, Jones, Mitchell, Person, Speight, Taylor and Wilder—14.

Those who voted in the negative, are,

Messrs. Boyd, Christian, Coleman, Davis, Faison, Fisher, Gilmer, Haughton, McClees, Martin, Morisey, Tayloe, Thomas of Jackson, and Wood—14.

There being a tie, the Speaker voted in the negative, and the motion was lost.

Ordered, That said bill be laid on the table.

The bill to emancipate Lewis, a slave, was read the first time and passed.

A message was received from the House of Commons, accompanied by a communication from his Excellency, the Governor, transmitting the resignations of sundry justices of the peace.

The engrossed bill to pay talis jurors, was read the first time and passed; the rule being snspended, said bill was read the second time, and laid on the table.

A message was sent to the House of Commons, stating that the Senate has passed the following engrossed bills and resolutions, in which it asks the concurrence of that body, viz: A bill relating to roads, ferries and bridges;

A resolution concerning marine hospital;

A bill to incorporate the Cheoih Turnpike Company;

A bill to empower the commissioners of Wilmington to establish streets, and for other purposes;

A bill in regard to the North Carolina Gold and Copper Mining Company;

A resolution directing the public treasurer not to receive small bank notes;

A bill to incorporate the Nantahala Gold and Copper Mining Company of Western North Carolina.;

A resolution concerning the Farmer's Bank of North Carolina; and,

A bill to amend an act entitled an act, to provide for a Turnpike Road from Salisbury, west to the line of the State of Georgia, passed at the session of 1848-'49.

The engrossed resolution in favor of W. H. and R. S. Tucker, was read the first time, and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the trustees of the Warsaw Male High School in Duplin county, was read the first time, and passed.

A message was received from the House of Commons, informing that the House has passed the engrossed bill to re-charter the Bank of the State of North Carolina, with sundry amendments, in which it asks the concurrence of the Senate.

The amendments proposed by the House were severally agreed to, except the following, viz:

The first, which proposed to strike out the words "or their equivalent," wherever they appear in the bill.

Mr. Graham moved to amend the amendment by inserting in lieu of the words proposed to be stricken out, the words: "or the notes of specie paying banks of other States."

The amendment as thus amended was agreed to; and the fourth amendment which proposed to strike out "fifty cents" upon each share of individual stock, and insert "one dollar."

Mr. Graham moved to amend said amendment, by inserting after the word "time" in the 8th line of the 15th section of the

bill, the words, "to a sum not exceeding," and by inserting after the word "dollar" in the proposed amendment, the words "per annum;" and the amendment as thus amended was agreed to; and the House informed of the action of the Senate; and its concurrence asked in the Senate's amendments to the amendments.

The Senate now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The engrossed bill to incorporate the Atlantic, Tennessee and Ohio Railroad Company, was read the second time, and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Haywood Mining and Manufacturing Company, was read the first time, and passed, and laid on the table.

The engrossed bill to incorporate the Carolina Hotel Company, was read the first time and passed, and laid on the table.

The engrossed bill to establish the county seat of Madison county, was read the third time, under a suspension of the rule, amended and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

The following engrossed bills, under a suspension of the rule, were severally read the first, second and third time, passed, and ordered to be enrolled, viz:

The bill for the relief of Solomon Newton;

The bill to amend an act passed in the year 1836, entitled an act to incorporate the town of Greensborough, in the county of Guilford;

The bill to incorporate the Lenoir and Duplin Plankroad Company:

The bill to incorporate the Excelsior Gold Mining Company, in Cabarrus county;

The bill to establish a toll bridge across Neuse River;

The bill supplemental to an act passed by the General Assembly of the State of North Carolina, at the session of 1850-'51, entitled an act to enlarge the powers of the commissioners of the town of Wilmington;

The bill for the better regulation of the town of Wilmington;

The bill to incorporate the Charlotte Gaslight Company.

'The engrossed bill to incorporate the Cape Fear Manufacturing Company was read the first time and passed; the rule being suspended, said bill was read the second time.

Received a message from the House of Commons stating that it has passed the engrossed bill to incorporate the bank of Clarendon, at Fayetteville, with amendments, in which it asks the concurrence of the Senate.

To which said amendments the Senate agreed, except the following, viz:

The amendment proposed by the House to strike out the words "twenty-five thousand dollars," in the 3d and 4th sections, and insert "two hundred thousand dollars," which was, on motion of Mr. Gilmer, amended by substituting "fifty thousand dollars" for the "two hundred thousand dollars," and the amendment as thus amended was agreed to, and the House informed of the action of the Senate, and its concurrence asked in said amendment to the amendment.

On motion by Mr. Wilder, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, February 15, 1855.

The engrossed bill to repeal the 4th section of an act passed at the session of 1850–'51, entitled an act to incorporate the Caldwell and Ashe Turnpike Company, passed by the General Assembly at its session of 1840–'41, and for other purposes, was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to prohibit the sale of spirituous liquors within two miles of Richland Academy, in the county of Onslow, was read the first time, passed, and referred to the committee on the judiciary.

The engrossed bill to incorporate the Asheville Mutual Insurance Company was read the first time, passed, and referred to the committee on the judiciary.

The engrossed bill to incorporate the Salem, Winston, and Virginia Turnpike and Plankroad Company was read the first

time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Holston Conference Female College, in the town of Asheville, was read the first time, passed, and laid on the table.

Mr. Graham, from the committee on the judiciary, to whom was referred the engrossed bill to secure to architects and mechanics compensation for labor and materials in the counties of New Hanover, Pitt, &c., reported the same back to the Senate and recommended its rejection.

The bill was read the second time and rejected.

Mr. Eaton, from the same committee, to whom was referred the engrossed bill to increase the production of oysters in North Carolina, reported the same back to the Senate and recommended its rejection.

The bill was read the second time and rejected.

The engrossed resolution in favor of C. C. Stone was read the first time and passed; the rule being suspended, said resolution was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to emancipate Albert, a slave, was read the third time, passed, and ordered to be enrolled.

The engrossed bill to emancipate Lewis, a slave, was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be enrolled.

A message was received from the House of Commons, stating that they have passed the engrossed resolution concerning the Revised Code, with an amendment, in which they ask the concurrence of the Senate.

The amendment was disagreed to, and the House of Commons informed thereof by message.

Also a message, stating that the House of Commons have passed, with an amendment, the engrossed resolution concerning the debt due from the Seabord and Roanoke Railroad Company, in which they ask the concurrence of the Senate.

The amendment was disagreed to, and the House of Commons informed thereof by message.

Also a message, informing that the House of Commons have passed, with amendments, the bill to amend and continue in force

an act to incorporate the Borrowdale Mining and Transportation Company; and

The bill to incorporate the Gulf and Deep River Iron Manufacturing Company, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

Also a message, agreeing to the amendments of the Senate to the engrossed resolution in favor of J. W. Erwin; and

The engrossed bill to establish the county seat of Madison.

Ordered, That said bill and resolution be enrolled.

Mr. Rayner, with leave, introduced a bill to more effectually secure a compliance with the terms of their charters by the banks chartered at the present session of the General Assembly, or that may hereafter be chartered in this State; which was read the first and second time, under a suspension of the rule, and passed; the rule being suspended, said bill was read the third time, amended by motion of Mr. Haughton, and passed, as amended; yeas 16, nays 12.

Those who voted in the affirmative, are,

Messrs. Biggs, Brogden, Clark, Cunningham, Eaton, Eborn, Graves, Martin, Mitchell, Morisey, Person, Rayner, Sanders, Speight, Taylor and Tayloe—16.

Those who voted in the negative, are,

Messrs. Boyd, Coleman, Davis, Faison, Fisher, Gilmer, Graham, Haughton, McClees, Thomas of Jackson, Wilder and Wood—12.

So the bill passed its third reading, and was ordered to be engrossed.

The engrossed resolution in favor of the Doorkeepers, under a suspension of the rule, was read the first, second and third time, passed, and ordered to be enrolled.

Received a message from the House of Commons, stating that it has passed the engrossed bill to encourage agriculture, and for other purposes, with an amendment, in which it asks the concurrence of the Senate.

The amendments were agreed to, and a message sent to the House of Commons informing thereof.

Mr. Boyd, from the committee on propositions and grievances,

to whom a memorial on the subject was referred, reported a bill to attach part of Buncombe county to the county of Madison; which was read the first time and passed.

The hour having arrived, the Senate took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The engrossed bill to incorporate the town of Whitehall, in the county of Wayne, was read the first, second and third time, under a suspension of the rule, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The engrossed bill supplemental to an act passed at the present session of the General Assembly, to increase the pay of traverse jurors, under a suspension of the rule, was read the first, second and third time, passed and ordered to be enrolled.

The engrossed resolution in relation to the public treasurer, under a suspension of the rule, was read the first, second and third time, passed and ordered to be enrolled.

The engrossed bill to incorporate the Haywood Mining and Manufacturing Company, was now taken up, read the second and third time, under a suspension of the rule, passed and ordered to be enrolled.

Mr. Haughton, with leave, introduced a bill to amend an act entitled an act to encourage the investment of capital for mining and manufacturing purposes, &c., which under a suspension of the rule, was read the first, second and third time, amended, passed and ordered to be engrossed.

The bill to alter the boundary line between the counties of Buncombe and Madison, was read the second time, and on motion, by Mr. Fisher, indefinitely postponed.

The Senate now took up for consideration the bill on its second reading to incorporate the Bank of Greensboro'. Mr. Gilmer offered an amendment as a substitute for the bill, which, after being amended, on motion, by Mr. Eaton, was agreed to; the question now recurring on the passage of the bill its second reading as amended, it was determined in the affirmative; yeas 14, nays 13.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Boyd, Coleman, Davis, Faison, Fisher, Gilmer, Haughton, Jones, McClees, Martin, Morisey, Tayloe, Thomas of Jackson, and Wood—14.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Cunningham, Eaton, Eborn, Herring, Sanders, Speight, Taylor and Wilder—13.

On motion, by Mr. Haughton, the rule was suspended, and the bill read the third time and passed; yeas 15, nays 11.

Mr. Biggs demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Boyd, Coleman, Davis, Eborn, Faison, Fisher, Gilmer, Haughton, Jones, McClees, Martin, Morisey, Tayloe, Thomas of Jackson and Wood—15.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Brogden, Clark, Collins, Cunningham, Eaton, Herring, Mitchell, Speight and Wilder—11.

So the bill passed its third reading, and was ordered to be engrossed.

The engrossed bill to incorporate a company to construct a railroad from some point on the waters of Beaufort harbor, to be hereafter determined, to the town of Fayetteville, under a suspension of the rule, was read the first, second and third time, passed and ordered to be enrolled.

The engrossed bill to increase the capital stock of the Commercial Bank of Wilmington, was read the first time and passed; the rule being suspended, said bill was read the second time and passed; yeas 22, nays 7.

Those who voted in the affirmative, are,

Messrs. Brogden, Clark, Coleman, Davis, Eborn, Faison, Fisher, Gilmer, Graham, Haughton, Herring, Jones, McClees, Mitchell, Morisey, Rayner, Sanders, Taylor, Tayloe, Thomas of Jackson, Wilder and Wood—22.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Cunningham, Eaton, Martin and Speight—7.

The rule being suspended, said bill was read the third time, passed and ordered to be enrolled.

A message was received from the House of Commons, stating

the House concurs in the amendments of the Senate to the engrossed bill to incorporate the town of White Hall, in the county of Wayne.

Ordered, That said bill be enrolled.

Received a message from the House of Commons, stating that the House insists on all of its amendments to the bill to incorporate the bank of Clarendon at Fayetteville.

Whereupon, on motion, the Senate receded from its disagreement, and the House was informed thereof by message.

Received a message from the House of Commons, stating that it has passed the engrossed bill to more effectually secure a compliance with the terms of their charters by the banks, &c., with amendments, in which it asks the concurrence of the Senate.

The amendments were agreed to, and the House of Jommons informed thereof by message.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred the resolution in favor of Neal M. Calvert;

The resolution in favor of Jesse R. Siler; and

The resolution in favor of Jacob Siler, reported the same back to the Senate and asked to be discharged from their further consideration. Discharged accordingly.

Ordered, That said resolutions be laid upon the table.

The engrossed bill to incorporate the Holston Conference Female College, in the town of Asheville, was now taken up, and under a suspension of the rule read the second and third time, passed, and ordered to be enrolled.

Mr. Coleman, with leave, introduced a bill to amend an act entitled an act to incorporate the Indian Grave Gap Turnpike Company, passed at this session, which, under a suspension of the rule, was read the first, second, and third time, passed, and ordered to be engrossed.

Mr. Thomas of Jackson, from the joint select committee to whom the subject was referred, reported a resolution in relation to the appointment of a State engineer, which was laid on the table.

Mr. Thomas of Jackson, with leave, introduced a bill to amend the act of 1850 concerning the Tuckasege and Keowee Turnpike company, which was read the first time and passed. On motion the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, FEBRUARY 16, 1855.

A message was sent to the House of Commons stating that the Senate has passed the following engrossed bills, in which it asks the concurrence of the Commons, viz:

A bill to amend an act entitled an act to incorporate the Indian Grave Gap Turnpike Company; and

A bill to amend an act to encourage mining.

Mr. Eaton, from the committee on the judiciary, to whom was referred the engrossed bill to incorporate the Asheville Mutual Insurance Company, reported the same back to the Senate with amendments.

The bill was read the second time, amended, and passed; the rule being suspended, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the Senate's amendment.

Received a message from the House of Commons proposing to rescind the joint resolution concerning adjournment, and to adjourn at $2\frac{1}{2}$ o'clock to day.

Mr. Haughton moved to amend the proposition by striking out "2½ o'clock to-day" and inserting "1 o'clock, A. M, to-morrow morning."

Mr. Rayner moved that the message be laid on the table, which was carried; yeas 18, nays 12.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Clark, Coleman, Cunningham, Eborn, Fisher, Gilmer, Graham, Graves, Haughton, McClees, Mitchell, Morisey, Rayner, Speight, Tayloe, Thomas of Jackson, Wilder and Wood—18.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Collins, Eaton, Herring, Jones, Martin, Person, Sanders and Taylor—12.

Mr. Graham, with leave, introduced a bill to provide for the transmission to the persons of color now in the republic of Liberia, the funds belonging to them in this State, which was read the first time and passed; the rule being suspended, said bill was

read the second and third time, passed, and ordered to be engrossed.

Mr. Gilmer introduced a resolution concerning a survey from the North Carolina Railroad to the Tennessee line, which was read the first time and passed; the rule being suspended said bill was read the second time and passed; yeas 17, nays 9.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Bower, Boyd, Coleman, Davis, Fisher, Gilmer, Graham, Graves, Haughton, McClees, Mitchell, Rayner, Taylor, Tayloe, Thomas of Jackson, Wilder and Wood—17.

Those who voted in the negative, are,

Messrs. Brogden, Clark, Collins, Cunningham, Eaton, Eborn, Martm, Sanders and Speight—9.

Under a suspension of the rule, said resolution was read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, stating that it has passed the following engrossed bills, with amendments, in which it asks the concurrence of the Senate, viz:

The bill concerning the Ward Gold Mining Company; and The bill in relation to the superior court of law of Tyrrell county.

The amendments were agreed to, and the House of Commons informed thereof by message.

A message was received from the House of Commons, concurring in the amendments of the Senate to the engrossed bill to incorporate the Ashville Mutual Insurance Company.

Ordered, That said bill be enrolled.

The engrossed bill to incorporate a bank in the town of Plymouth, was read the first time and passed; the rule being suppended, said bill was read the second time.

Mr. Eaton moved the following amendment as an additional section to the bill, viz:

Be it further enacted, That the president and directors of said bank shall, at all times, from and after the passing of this act, and during the continuance of the same, be bound and obliged to make a loan or loans to the State of North Carolina, if required and authorized by law, of any sums of money not exceeding in the whole, at any one time, one-fifth part of the actual stock

tum per year, to be paid yearly: Provided, That it shall be the duty of the treasurer to make application in writing to the president and directors of said bank, for such loan or loans, at least three months previous to the time when such loan or loans shall be required.

The amendment was adopted; yeas 15, nays 12.

Those who voted the affirmative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Coleman, Collins, Cunningham, Eaton, Herring, Jones, Martin, Person, Sanders, Speight and Wilder—15.

Those who voted in the negative, are,

Messrs. Davis, Eborn, Gilmer, Graham, Graves, Haughton, McClees, Morisey, Rayner, Tayloe, Thomas of Jackson, and Wood—12.

The question now recurring on the passage of the bill its second reading, the same was rejected; yeas 12, nays 15.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Coleman, Davis, Eborn, Gilmer, Haughton, Jones, McClees, Morisey, Person, Tayloe, Thomas of Jackson, and Wood—12.

Those who voted in the negative, are,

Messrs. Biggs, Bower, Boyd, Brogden, Clark, Collins, Cunningham, Eaton, Graves, Herring, Martin, Mitchell, Sanders, Speight and Wilder—15.

Mr. Clark presented the following protest, and asked that it be spread on the Journal, viz:

SENATE CHAMBER, 16th February, 1855.

I protest against the action of the Senate on the revenue bill, because they refused, by a direct vote, to permit any amendment or alteration of the bill as it came from the House of Commons; the bill was of direct and immediate importance to every citizen of the State, and demanded, above all others, the careful consideration and concurrence of both branches of the Legislature; the refusal of the Senate to act on, and consider the bill, was, I regard, a failure to perform the duties of a co-ordinate and independent branch of the Legislature, and as far as it implied any distrust of the House of Commons, was not respectful to that

body. For these reasons, besides objections to the burdensome provisions of the bill, I enter my protest against the passage of the bill, and the mode of legislation which accomplished it.

HENRY T. CLARK, of Edgecombe.

Mr. Graham, with leave, introduced a resolution in favor of Edward Stanly; which was read the first, second and third time, under a suspension of the rule, passed, and ordered to be engrossed.

Mr. Rayner, with leave, introduced a resolution concerning the distribution of the acts of the Assembly passed at the present session; which, under a suspension of the rule, was read the first, second and third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, stating that it has passed the engrossed resolution in favor of J. R. Jones; and

The engrossed bill to incorporate the North Carolina Copper Company, with amendments, in which it asks the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof by message.

Mr. Gilmer called up the engrossed resolution in favor of Neil M. Calvard, which was read the second and third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of James M. Carroll was taken up, read the third time, and ordered to be enrolled.

The engrossed resolution concerning the Lunatic Asylum;

The engrossed resolution concerning the principal clerks of the two houses of the General Assembly; and

The engrossed resolution in favor of Joseph Woltering, were severally read the first, second, and third time, under a suspension of the rule, passed, and ordered to be enrolled.

The resolution in favor of D. B. Baker was read the first, second, and third time, and ordered to be enrolled.

The bill to amend the act of 1850 concerning the Tuckasege and Keowee Turnpike Company was read the second time and passed; the rule being suspended, said bill was read the third time, passed, and ordered to be engrossed.

Mr. Boyd, from the committee on propositions and grievances, to whom was referred sundry memorials in relation to the enact-

of said bank, and at a rate of interest not exceeding six per cenment of a prohibitory liquor law, reported the same back to the Senate and asked to be discharged from the further consideration of the subject. Discharged accordingly.

The engrossed bill to amend the charter for the better regulation of the town of Henderson, in the county of Granville, was read the first time.

Mr. Taylor moved to amend the bill by striking out all of the same except the 1st, 14th, and 18th sections.

The amendment was agreed to, and the bill passed its first reading as amended; the rule being suspended, the bill was read the second time.

Mr. Taylor moved to strike out the 18th section.

Mr. Graham moved an amendment as a substitute for the 18th section, which was lost; yeas 10, nays 15.

Mr. Taylor demanded the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Eaton, Fisher, Graham, Haughton, Mitchell, Person, Rayner, Speight, Thomas of Jackson, and Wilder—10.

Those who voted in the negative, are,

Messis. Biggs, Bower, Boyd, Brogden, Clark, Collins, Cunningham, Eborn, Faison, Graves, Herring, Jones, Martin, Sanders, and Taylor—15.

The question now recurred on the motion to strike out the 18th section, which was carried; the bill, after being further amended on motion by Mr. Taylor, passed its second reading.

The bill, under a suspension of the rule, was now read the third time and passed, and a message sent to the House of Commons asking its concurrence in the amendments of the Senate.

The engressed resolution in favor of Mount Pleasant Academy, was read the first time and passed; the rule being suspended, said resolution was read the second time and rejected.

The Senate now took a recess until 3 o'clock.

Three o'clock, P. M.

The engrossed bill to incorporate the Leachville and Cumberland Plankroad Company was read the first time and passed; the rule being suspended, said bill was read the second and third time, passed, and ordered to be enrolled. The engrossed bill to give a right of action in certain cases where death is caused by neglect, default, or wrongful act, was read the first time and passed; the rule being suspended, said bill was read the second time.

Mr. Graham moved to amend the same by striking out the 4th section.

The motion was lost; yeas 8, nays 19.

The yeas and nays being demanded,

Those who voted in the affirmative, are,

Messrs. Biggs, Bower, Boyd, Eaton, Graham, Mitchell, Taylor and Wilder—S.

Those who voted in the negative, are,

Messrs. Brogden, Clark, Collins, Cunningham, Eborn, Faison, Fisher, Gilmer, Graves, Haughton, Herring, Jones, McClees, Martin, Morisey, Rayner, Sanders, Speight and Thomas of Jackson—19.

The bill now passed its second reading; under a suspension of the rule, the bill was read the third time, passed, and ordered to be enrolled.

The engrossed resolution in favor of Henry J. Brown, under a suspension of the rule, was read the first, second and third time, passed and ordered to be enrolled.

Mr. Eaton, from the committee on the judiciary, to whom was referred the engrossed bill to cede to the United States a tract of land near Wilmington, reported the same back to the Senate, and recommended its passage; the bill under a suspension of the rule, was read the second and third time, passed and ordered to be enrolled.

Mr. Eaton, from the same committee, reported unfavorably on the engrossed bill to correct the errors committed in entries of land in the counties of Macon and Cherokee.

The bill was read the second time and rejected.

Received a message from the House of Commons, concurring in the amendments of the Senate to the engrossed bill to amend the charter for the better regulation of the town of Henderson, in the county of Granville.

Ordered, That said bill be enrolled.

Received a message from the House of Commons, proposing that the General Assembly adjourn sine die at 12½ o'clock to-night.

Ordered, To be laid on the table.

The vote by which was rejected the engrossed resolution in favor of Mount Pleasant Academy, in the county of Cherokee, was reconsidered, on motion, by Mr. Biggs, and passed its second reading; the rule being suspended, said resolution was read the third time.

On the question—shall the resolution pass its third reading, upon a division, the vote stood, yeas 12, nays 12.

The Speaker voted in the affirmative, and the resolution passed its third reading, and was ordered to be enrolled.

On motion, by Mr. Biggs, the Senate adjourned until 8 o'clock, P. M.

Eight o'clock, P. M.

The message from the House of Commons, proposing that the General Assembly adjourn sine die at $12\frac{1}{2}$ o'clock to-night, was now taken up and concurred in, and the House of Commons informed thereof.

The recommendations of sundry justices of the peace were received from the House of Commons, which were read and concurred in.

Mr. Eaton, from the committee on the judiciary, to whom was referred the engrossed bill to prohibit the sale of spirituous liquors within two miles of Richland Academy, in the county of Onslow, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Said bill was now read and rejected.

The engrossed resolution authorizing the Governor to supply the Governors of the States and Territories with a copy of Jones's Digest;

And the engrossed bill to amend an act, entitled an act to incorporate the Jonathan's Creek and Mountain Turnpike Company, in the county of Haywood, passed at the session of 1846, were severally read the first, second and third time, under a suspension of the rule, passed and ordered to be enrolled.

The Speaker announced that the joint committee on the part of the Senate, to memorialize Congress on the subject of a Marine Hospital, consists of Messrs. Rayner and Clark, and the House of Commons was informed thereof by message.

Received a message from the House of Commons, informing that they have acted on all the business before them, and are now ready to adjourn sine die.

The Senate having dispatched the business before it,

On motion by Mr. Clark,

Ordered, That a message be sent to the House of Commons, informing that body that the Senate is also ready to adjourn sine die.

Mr. Gilmer then presented the following resolution; which was read and unanimously adopted:

Resolved, That the thanks of the Senate are due, and are hereby tendered to Hon. Warren Winslow, for the able, faithful and impartial manner in which he has presided over the deliberations of the Senate, during the present session.

. Whereupon, the Speaker made his acknowledgments to the Senate in an appropriate address, and adjourned the same without day.

WARREN WINSLOW, Speaker of the Senate.

By order JNO. HILL, Clerk.

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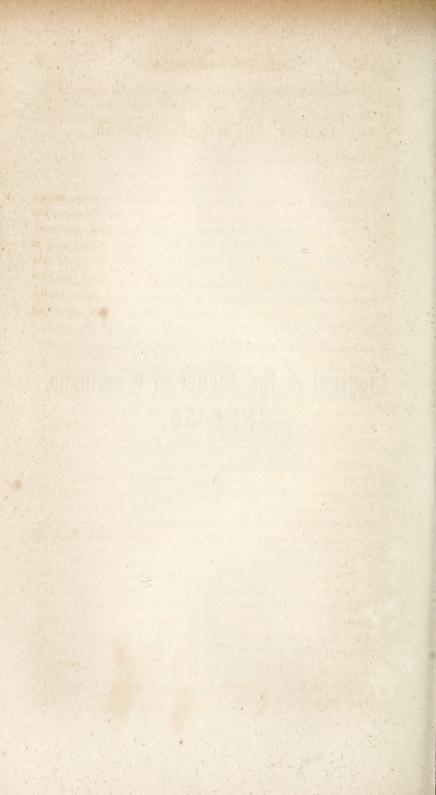
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Inrepet of the Bouse of Commons. 1854-'55.



HOUSE JOURNAL, 1854-'55.

At a General Assembly of the State of North Carolina, begun and held at the capitol in the City of Raleigh, on Monday, the twentieth day of November, in the year of our Lord one thousand eight hundred and fifty-four, and the seventy-ninth year of the independence of the United States of America, being the day appointed by law for the meeting of the General Assembly, the following members of the House of Commons appeared, exhibited their credentials, and were duly qualified as such according mumber. 1. to law, viz:

Anson-A. J. Dargan, W. W. Wilkins.

Ashe-A. Gentry.

Alamance—Giles Mebane, J. W. Lancaster.

Alexander-A. M. Bogle.

Buncombe-Z. B. Vance.

Bladen-George M. White.

Bertie-P. H. Winston, Jr.

Beaufort-J. R. Stubbs.

Brunswick-Gaston Meares.

Cabarrus-D. M. Barringer.

Catawba—H. Sherrill.

Craven—S. W. Chadwick, George Green.

Cumberland-Jesse G. Shepherd, C. H. Cofield, M. J. Mc-Duffie.

Chowan-John C. Badham.

Columbus-A. J. Jones.

Camden-W. Harrison.

Carteret-I. T. Oglesby.

Cherokee—John Roland.

Caswell-Samuel P. Hill, William Long.

Chatham-J. H. Headen, A. D. Headen, R. C. Cotten.

Caldwell—S. F. Patterson.

Currituck—S. B. Jarvis.

Cleveland-G. G. Holland, W. W. Wright.

Davidson-J. M. Leach, Henry Walser.

Davie-W. B. March.

Duplin-N. B. Whitfield, W. J. Houston.

Edgecombe-Joshua Barnes, David Williams.

Forsythe-J. A. Waugh, Allen Flynt.

Franklin-W. K. Martin.

Granville-J. M. Bullock, W. H. Lyon, J. S. Amis.

Guilford—D. F. Caldwell, Calvin Johnson.

Green-B. F. Williams.

Gates-Mills H. Eure.

Gaston-James H. White.

Halifax-R. H. Smith, James D. Perkins.

Hertford-W. L. Daniel.

Hyde-Milton Selby.

Haywood-R. G. A. Love.

Henderson Donald

Iredell-R. H. Parks, L. Q. Sharpe.

Jackson-Thadeus D. Bryson.

Jones-F. G. Simmons.

Johnston—B. H. Tomlinson, Asa Barnes.

Lenoir-William Sutton.

Lincoln-H. Cansler.

Mecklenburg-Wm. R. Myers, William Black.

Martin-John Watts.

McDowell—S. J. Neal.

Moore—Hugh Leach.

Montgomery—Zebedee Russell.

Macon-A. J. Patton.

Madison—John Yancey.

Nash—John W. Bryant.

New Hanover-T. H. Williams, Dugald McMillan,

Northampton-John B. Bynum.

Orange-S. F. Phillips, Josiah Turner, Jr.

Onslow-L. W. Humphrey.

Pasquotank-Wm. E. Mann.

Perquimons-John P. Jordan.

Pitt—G. E. B. Singeltary, W. J. Blow.

Person-Major Green.

Randolph—John A. Craven, Jesse Thornburg.

Richmond-Walter L. Steele.

Rutherford—W. M. Shipp, John G. Bynum.

Rowan-C. A. Rose.

Robeson-Neil Regan, Thomas A. Norment.

Rockingham—Thomas Settle, Jr., Joseph W. Neal.

Sampson—E. F. Shaw, G. H. Daughtry.

Surry-Charles Whitlock.

Stokes—Joel F. Hill.

Stanly-John Furr. Tyrrell— Januar,

Union—James A. Dunn.

Wake-N. G. Rand, W. W. Whitaker, Jacob Mordecai.

Warren-Samuel A. Williams, William A. Jenkins.

Washington Selliam, F. a.

Watauga-Johathan Horton.

Wayne-Wm. T. Dortch, L. Whitfield.

Wilkes-L. B. Carmichael, C. L. Cook.

Yancey-J. W. Garland.

Yadkin—C. W. Williams.

A quorum of the whole number of members being present, Mr. Dortch moved that SAMUEL P. HILL, of Caswell, be appointed Speaker of the House.

Mr. Barringer moved that the name of J. S. Amis, of Granville, be added to the nomination.

The House thereupon proceeded to vote, under the superintendence of Messrs. Dortch and Barringer, as follows:

For Mr. Hill: -Messrs. Gentry, White of Bladen, Meares, Sherrill, Shepherd, Cofield, McDuffie, Badham, Oglesby, Long, A. D. Headen, Cotten, Jarvis, N. B. Whitfield, Flynt, Martin, Wright, Williams, Bullock, Lyon, A. Barnes, Waugh, White of Gaston, Selby, Love, Sutton, Cansler, Myers, Black, Tomlinson, J. Barnes, Watts, Yancey, Bryant, S. A. Williams, McMillan, Bynum, Humphrey, Jordan, Singeltary, Blow, Green, Rose, Regan, Norment, Settle, Neal of Rockingham, Shaw, Daughtry, Whitlock, Williams of New Hanover, Williams of Edgecombe, J. F. Hill, Dunn, Rand, Whitaker, Jenkins, Dortch, L. Whitfield, Garland, Williams of Yadkin, Lancaster, Holland and Bryson -- 63.

For Mr. Amis:—Messrs. Dargan, Wilkins, Mebane, Vance, Bogle, Winston, Stubbs, Barringer, Greene, Chadwick, Jones, Harrison, Roland, J. H. Headen, Patterson, Walser, Leach, March, D. F. Caldwell, Johnson, B. F. Williams, Eure, Smith, Perkins, Daniel, Parks, Sharpe, Simmons, Neal, Leach, Russell, Patton, Phillips, Turner, Mann, Craven, Thornburg, Steele, Shipp, J. G. Bynum, Furr, Mordecai, Horton, Carmichael and Cook—45.

Mr. Hill voted for Mr. Shepherd.

Mr. Amis voted for Mr. Turner.

Mr. Hill having received a majority of the whole number of votes, was declared duly elected Speaker, and thereupon he was conducted to the chair by Messrs. Dortch and Barringer, and made his acknowledgements to the House, in an appropriate address.

A motion was made by Mr. Waugh, that the House do now proceed to the election of Principal Clerk, which was agreed to, and he nominated for the appointment James T. Marrott, of Wake.

On motion by Mr. Steele, the name of STEPHEN D. Poole, of Carteret, was added to the nomination.

The House then proceeded to vote as follows:

For Mr. Marriott.—Messrs. Speaker, Gentry, Lancaster, G. M. White, Mears, Sherrill, Shepherd, Cofield, McDuffie, Badham, Oglesby, Long, A. D. Headen, Cotten, Jarvis, Holland, Wright, N. B. Whitfield, J. Barnes, D. Williams, Waugh, Flynt, Martin, Bullock, Lyon, J. H. White, Selby, Love, Sutton, Cansler, Myers, Black, Tomlinson, A. Barnes, Watts, Yancey, Bryant, T. H. Williams, McMillan, J. B. Bynum, Humphrey, Jordan, Singeltary, Blow, M. Green, Rose, Regan, Norment, Settle, J. W. Neal, Shaw, Daughtry, Whitlock, Hill, Dunn, Rand, Whitaker, Mordecai, S. A. Williams, Jenkins, Dortch, L. Whitfield, Garland, C. W. Williams, Houston—65.

For Mr. Pool:—Messrs. Dargan, Wilkins, Mebane, Vance, Bogle, G. Green, Winston, Stubbs, Barringer, Jones, Chadwick, Harrison, Roland, J. H. Headen, Patterson, Walser, Leach, March, Amis, D. F. Caldwell, Johnson, B. F. Williams, Eure, Smith, Perkins, Daniel, Parks, Sharpe, Bryson, Simmons, S. J. Neal, H. Leach, Russell, Patton, Phillips, Turner, Mann, Craven,

Thornburg, Steele, Shipp, J. G. Bynum, Furr, Horton, Carmichael and Cooke—46.

Mr. Marriott having received a mojority of the whole number of votes given, was declared duly elected Principal Clerk.

Mr. Singeltary moved that the House do now proceed to vote for Assistant Clerk, and he nominated for the appointment George Howard, of Edgecombe.

On motion by Mr. Barringer, he was declared by the House duly elected Assistant Clerk.

Mr. Williams of Warren, moved that the House do now proceed to vote for Principal Doorkeeper, and he nominated for the appointment WM S. Webster of Chatham.

On motion by Mr. Phillips, the name of Lee Couch of Orange, was added to the nomination.

The House then voted as follows:

For Mr. Webster: - Messrs. Speaker, Dargan, Gentry, Mebane, Lancaster, Bogle, J. H. White, Winston, Mears, Barringer, Sherrill, M. Green, Chadwick, Shepherd, Cofield, McDuffie, Badham, Jones, Harrison, Oglesby, Long, J. H. Headen, Cotten, A. D. Headen, Patterson, Jarvis, Holland, Wright, Walser, Leach, March, N. B. Whitfield, J. Barnes, D. Williams, Waugh, Flynt, Martin, Amis, Lyon, D. F. Caldwell, Johnson, B. F. Williams, Eure, G. M. White, Smith, Perkins, Daniel, Selby, Love, Parks, Sharpe, Bryson, Simmons, Sutton, Cansler, Myers, Black, Tomlinson, A. Barnes, Watts, S. J. Neal, H. Leach, Russell, Patton, Yancey, Bryant, T. H. Williams, McMillan, J. B. Bynum, Humphrey, Mann, Jordan, Singeltary, Blow, M. Green, Craven, Thornburg, Steele, Shipp, J G. Bynum, Rose, Regan, Norment, Settle, J. W. Neal, Jarvis, Myers, Shaw, Daughtry, Wright, Tomlinson, Whitlock, J. F. Hill, Furr, Dunn, Rand, Whitaker, Mordecai, S. A. Williams, Jenkins, Hotton, Dortch, L. Whitfield, Carmichael, Cook, Garland, C. W. Williams and Houston-108.

For Mr. Couch :—Messrs. Vance, Roland, Phillips and Turner—4.

Mr. Webster having received a majority of the whole number of votes given, was declared duly elected Principal Doorkeeper.

On motion by Mr. Lyon, the House then proceeded to the election of Assistant Doorkeeper, the following persons being in

nomination: Wm. R. Lovell, John H. Hill and Mr. Dyche of Cherokee.

The House voted as follows:

For Mr. Lovell:—Messrs. Speaker, Dargan, Wilkins, Gentry, Mebane, Lancaster, Bogle, G. M. White, Winston, Stubbs, Mears, Barringer, Sherrill, Geo. Green, Chadwick, Shepherd, Cofield, Jones, Harrison, Oglesby, Long, J. H. Headen, A. D. Headen, Cotten, Patterson, Jarvis, Holland, Wright, Walser, J. M. Leach, March, N. B. Whitfield, J. Barnes, D. Williams, Flynt, Martin, Amis, Bullock, Lyon, D. F. Caldwell, Johnson, B. F. Williams, Eure, J. H. White, Smith, Perkins, Daniel, Selby, Parks, Sharpe, Simmons, Sutton, Tomlinson, A. Barnes, S. J. Neal, Cansler, Myers, Black, H. Leach, Russell, Bryant, McMillan, J. B. Bynum, Phillips, Turner, Humphrey, Mann, Jordan, Blow, M. Green, Steele, Shipp, J. G. Bynum, Rose, Regan, Norment, Shaw, Dunn, Rand, Whitaker, Mordecai, Horton, Dortch, L. Whitfield, Carmichael, Cook, Garland, C. W. Williams and Houston—89.

For Mr. Jno. W. Hill:—Messrs. McDuffie, Badham, Watts, Singeltary, Craven, Thornburg, Settle, Daughtry, Whitlock, S. A. Williams, Jenkins and Waugh—12.

FOR MR. DYCHE:—Messrs. Vance, Roland, Love, Bryson, Patton and Yancey—6.

Mr. Lovell having received a majority of the whole number of votes, was declared duly elected assistant doorkeeper.

On motion by Mr. Mebane, the House now adjourned to tomorrow morning 10 o'clock.

TUESDAY, November 21, 1854.

On motion by Mr. Steele,

Ordered, That a message be sent to the Senate informing that body of the due organization of this House, and that we are now ready to proceed to the dispatch of public business.

On motion by Mr. Dortch,

Ordered, That the rules of the last House of Commons be adopted for the temporary government of this House.

Received from the Senate a message informing the House of the organization of that body by the appointment of Hon. Warren Winslow, Speaker; John Hill, Chief Clerk; Quentin

Busbee, Assistant Clerk; James Page, Principal, and John U. Vogler, Assistant Doorkeeper.

Mr Dortch submitted a resolution in favor of S. D. Poole, which was read the first time and passed, and on his motion the rules were suspended, and the resolution read the second and third time, passed, and ordered to be engrossed.

On motion by Mr. Steele,

Ordered, 'That the principal doorkeeper of the House be required to procure suitable tables and six chairs for the use of newspaper reporters, and place the same in the lobby behind the Speaker's chair.

Received from the Senate a message proposing to raise a joint select committee consisting of two members from each House, to wait upon his Excellency, the Governor, and inform him of the due organization of the two Houses of the General Assembly, and that they are ready to receive any communication that he may have to lay before them, which was concurred in. Messrs. Badham and Turner were appointed the committee on the part of the House, and the Senate informed thereof by message.

Received from the Senate a message informing that Messrs. Boyd and Morisey form the Senate's branch of the committee to wait upon his Excellency, the Governor.

Also a message proposing to raise a joint select committee, consisting of three members from the Senate and five on the part of the House to report joint rules of order for the government of the two Houses during the present session, which was concurred in, and the chair thereupon appointed Messrs. J. M. Leach, Thomas Settle, Jr., J. P. Jordan, L. B. Carmichael and W. K. Martin on the part of the House, and the Senate was informed thereof by message.

On motion by Mr. Dortch,

Ordered, That a committee of five be appointed to prepare rules for the government of the House.

And thereupon the Speaker appointed Messrs. W. T. Dortch, W. L. Steele, J. G. Shepherd, J. S. Amis, and Gaston Meares said committee.

Mr. Singeltary presented a resolution authorizing the principal clerks of the two Houses to have suitable curtains furnished for the two halls of the General Assembly, which was read, and Mr. J. M. Leach moved to amend by substituting "five members of the House" instead of the clerks of the two Houses, and "to furnish curtains for the Commons hall only," which amendment was rejected.

Mr. S. A. Williams moved to lay the resolution upon the table, which motion was lost.

The question then recurring upon the original resolution, the same was read the first time and passed.

On motion by Mr. Carmichael the rules were suspended, and the resolution was read the second and third time, passed and ordered to be engrossed.

Received from the Secretary of State a communication informing the House that W. W. Holden has contracted for the printing for the present General Assembly, which was read, and on motion, laid upon the table.

Mr. Badham, from the committee to wait upon His Excellency, the Governor, reported verbally, that the committee had performed the duty assigned them, and that on to-morrow at 12 o'clock, M., His Excellency would lay before this House a communication in writing.

Mr. J. G. Bynum moved that the House do now adjourn, which motion was lost.

On motion by Mr. Dortch,

Ordered, That the hour of meeting of this House shall be 10 o'clock, A. M., daily, unless otherwise ordered.

On motion by Mr. Shepherd,

Ordered, That a message be sent to the Senate, proposing to go into an election for a solicitor for the fifth judicial circuit tomorrow at 12 o'clock, M.

On motion by Mr. Steele,

Ordered, That a message be sent to the Senate, proposing to go into an election for engrossing clerk on to-morrow at 11 o'clock.

On motion by Mr. Dortch,

Ordered, That a message be sent to the Senate, proposing to go into an election for Secretary of State, on to-morrow at half-past 10 o'clock, A. M.

On motion by Mr. J. G. Bynum, the House adjourned to to-morrow morning 10 o'clock.

WEDNESDAY, NOVEMBER 22, 1854.

The following members elect appeared, produced their credentials, were duly qualified, and took their seats:

Ralph Gorrell, from the county of Guilford; James F. Davenport, from the county of Tyrrel; David Outlaw, from the county of Bertie; and Wm. F. McKesson, from the county of Burke.

Mr. Steele introduced a bill to provide adequate compensation to certain officers of this State, which was read the first time and passed, and on his motion referred to a select committee of five; whercupon Messrs. Steele, J. B, Bynum, Barringer, Humphrey and Houston, were appointed on said committee.

Mr. Steele introduced a bill to authorize the formation of limited partnerships, which was read the first time, passed, and ordered to be printed.

Received from the Senate a message, concurring in the several propositions of the House, to proceed to the election of a solicitor for the fifth judicial circuit, for engrossing clerk, and for secretary of State, and informing that Messrs. Faison and Haughton form the Senate branch of the committee to superintend the election of solicitor; Messrs. McDowell and Cherry the election of engrossing clerk; and Messrs. Cunningham and Willey that of secretary of State.

The hour having now arrived to go into the election of secretary of State, Mr. Dortch nominated William Hill for that office, and the Speaker appointed Messrs. Dortch and Horton on the part of the House to superintend the election, and the Senate was informed thereof by message.

The House now proceeded to vote as follows:

For William Hill:—Messis. Speaker, Amis, J. Barnes, A. Barnes, Barringer, Badham, Blow, Bogle, Bryson, Bryant, Bullock, J. G. Bynum, J. B. Bynum, D. F. Caldwell, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cotten, Cook, Craven, Dargan, Daniel, Daughtry, Dortch, Davenport, Dunn, Eure, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Harrison, J. H. Headen, A. D. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, March, McMillan, Martin, Mann, McDuffie, Mears, Mebane, Mordecai, S. J. Neal, Myers, J. W. Neal, Norment, Oglesby, Patterson,

Parks, Patton, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Shipp, Shaw, Sharpe, Sherrill, Singeltary, Simmons, Smith, Stubbs, Steele, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, Wilkins, Winston, B. F. Williams, T. H. Williams, S. A. Williams, D. Williams, C. W. Williams, Wright and Yancey—112.

Mr. Dortch, from the committee to superintend the election of secretary of State, reported that William Hill had received the whole number of votes given, and was duly elected, which report

was concurred in.

The hour having now arrived to go into the election of engrossing clerk, Mr. Jenkins nominated James W. Powell; Mr. Rand, Erastus Smith; Mr. Norment, Neal McNeill; Mr. Vance, John P. Wheat; Mr. Martin, W. H. Joyner; and the Speaker appointed Messis. Winston and White of Gaston a committee on the part of the House to superintend the election, and the Senate was informed thereof by message.

The House then voted as follows:

For Mr. Poweil:—Messrs, Speaker, J. Barnes, Badham, Blow, J. G. Bynum, J. B. Bynum, A. H. Caldwell, Cansler, Dargan, Dortch, Flynt, M. Green, A. D. Headen, Hill, Holland, Humphrey, Jenkins, Johnson, Jordan, Long, Myers, S. J. Neal, Selby, Shaw, Smith, Waugh, Watts, Whitlock, S. A. Williams, D. Williams and Wright—31.

For Mr. Wheat:—Messrs. Amis, Barringer, Bogle, Bryson, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Eure, Furr, Gorrell, J. H. Headen, Horton, J. M. Leach, H. Leach, March, Mann, Mordecai, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Shipp, Sharpe, Stubbs, Thornburg, Turner, Vance, Walser, Wilkins, Winston, B. F. Williams and Yancey—38.

For Mr. JOYNER:—Messrs. Bryant, Bullock, Cotten, Dunn, Garland, Gentry, Jarvis, Lancaster, Love, Lyon, Martin, Mc-Millan, Mebane, J. W. Neal, Ogleshy, Rose, Russell, Shepherd, Sherrill, Singeltary, Sutton, J. H. White, L. Whitfield, T. H. Williams and C. W. Williams—25.

For Mr. McNeill: -Messrs. Cofield, Daughtry, G. Green,

Houston, Jones, McDuffie, Meares, Norment, Regan, Settle, Smmons, Steele, G. M. White, N. B. Whitfield—14.

For Mr. Smith:—Messis. A. Barnes, Rand, Tomlinson, Whitaker—4.

Mr. Winston, from the committee to superintend the election of engrossing clerk, reported that no one of the candidates had received a majority of the whole number of votes given, and that there was no election.

Received from the Senate a message proposing to go immediately into the election of engrossing clerk, in which the House concurred, and Messrs. S. A. Williams and Love were named the committee on the part of the House to superintend the election.

Mr. Norment withdrew the name of Mr. McNeull, and the Senate was informed thereof by message.

Received from the Senate a message informing that Messrs Cherry and McDowell, form the Senate branch of the committee to superintend said election.

The House then voted as follows:

For Mr. Powell:—Messrs. Speaker, J. Barnes, Badham, J. G. Bynum, J. B. Bynum, Cofield, Dargan, Daughtry, Dortch, Dunn, Flynt, Gentry, A. D. Headen, Hill, Holland, Houston, Humphrey, Jenkins, Jordan, McDuffie, Meares, S. J. Neal, Regan, Settle, Shepherd, Shaw, Waugh, Watts, G. M. White, Whitlock, S. A. Williams, D. Williams, Wright—33.

For Mr. Wheat:—Messrs. Amis, Barringer, Blow, Bogle, Bryson, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Davenport, Eure, Furr, Gorrell, G. Green, Harrison, J. H. Headen, Horton, Johnson, Jones, J. M. Leach, H. Leach, Love, March, Mann, McKesson, Mordecai, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Shipp, Sharpe, Simmons, Smith, Stubbs, Steele, Thornburg, Turner, Vance, Walser, Wilkins, Winston, B. F. Williams and Yancey—49.

For Mr. JOYNER:—Messrs. A. Barnes, Black, Bryant, Bullock, Cansler, Cotten, Garland, M. Green, Jarvis, Lancaster, Long, Lyon, Martin, McMillan, Mebane, Myers, J. W. Neal, Norment, Oglesby, Rose, Russell, Selby, Sherrell, Singeltary, Sutton, Tomlinson, J. H. White, N. B. Whitfield, L. Whitfield, T. H. Williams and C. W. Williams—31.

For Mr. Smith: -Messrs. Rand and Whitaker-2.

Mr. S. A. Williams, from the committee appointed to superintend the election of engrossing clerk, reported that no one of the candidates had received a majority of the votes given, and consequently there was no election, which report was concurred in.

Mr. D. F. Caldwell submitted the following resolutions, which was read and adopted:

"Whereas, the time has arrived for the renewal of the charters of the Bank of the State and the Cape Fear Bank, or the establishment of other banking institutions as substitutes for them, and the State being largely interested in said banks as a stockholder, and the present legislature being desirous to obtain full and correct information especially as to the profits of these institutions prior to any legislation on the subject; therefore,

Resolved, That the presidents and cashiers of said banks, be requested to furnish at their earliest convenience to this legislature, a tabular statement of their dividends and profits annually made on their capital stock since the year 1835; also the amount of taxes paid into the public treasury, and the present amount of their contingent fund.

Resolved, That a copy of this preamble and resolution be transmitted to the presidents and cashiers at said banks by the Speakers of the two Houses."

Received from the Senate a message, accompanied by an engrossed resolution in favor of Oliver H. Perry, which was read the first time, passed, and laid upon the table.

On motion by Mr. Dortch,

Ordered, That a message be sent to the Senate, proposing to raise a joint select committee of eight on the part of the House, and five on the part of the Senate, on the revisal of the Statutes.

Received from the Senate a message, informing that Messrs. Saunders, Cherry and Biggs form the Senate branch of the committee on joint rules of order.

The hour having now arrived to go into an election for a solicitor for the fifth judicial circuit, Mr, Shepherd nominated for that office Mr. ROBERT STRANGE, of Wilmington.

Mr. Steele added to the nomination the name of RALPH P. Buxton, of Fayetteville.

Messrs. Shepherd and Bryson were named the committee on the part of the House to superintend the election, and the Senate was informed thereof by message.

The House then voted as follows:

For Mr. Strange:—Messrs. Speaker, J. Barnes, A. Barnes, Badham, Black, Blow, Bryson, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Collier, Dargan, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, Long, Love, Lyon, Martin, McMillan, McDuffie, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shepherd, Shaw, Sherrell, Singeltary, Sutton, Tomlinson, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, Wilkins, B. F. Williams, T. H. Williams, S. A. Williams, C. W. Williams, D. Williams, Wright and Yancey—69.

For Mr. Buxton:—Messis. Amis, Bogle, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Davenport, Eure, Furr, Gorrell, G. Green, Harrison, J. H. Headen, Horton, Johnson, J. M. Leach, H. Leach, March, Mann, McKesson, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Russell, Shipp, Sharpe, Simmons, Smith, Stubbs, Steele, Thornburg, Turner, Vance, Walser, Winston and J. G. Bynum—45.

Mr. Shepherd, from the committee to superintend the election of solicitor for the fifth judicial circuit, reported that Mr. Strange had received a majority of the votes given and was duly elected, which report was concurred in,

Received from his Excellency David S. Reid, Governor of the State, by his private secretary, Samuel F. Adams, Esq., the following communication, with accompanying documents, which was read; and Mr. Singeltary moved that the same be sent to the Senate with the accompanying documents, with a proposition to print ten copies for each member.

Mr. Amis moved to amend the motion by striking out ten and inserting five. The amendment was disagreed to.

The question then recurring upon the original motion, the same was carried.

GOVERNOR REID'S MESSAGE.

To the Honorable the General Assembly

of the State of North Carolina:

In communicating my regular Message to the General Assembly, a fit occasion is presented for congratulating its members upon the blessings which a kind Providence has bestowed upon the people of the State, and especially upon their exemption, to a considerable extent, from the diseases and calamities which have visited other States and Nations, with such sad and devastating consequences. It is also a subject of congratulation that the spirit of progress and improvement, which, at present, animates our people, presents a bright prospect for the destiny of our beloved State.

Agriculture, in North Carolina, has undergone an important improvement, which has increased the reward of the husbandman, and imparted an additional interest to this great pursuit; the amount of crime committed, it is believed, will compare favorably with that of any other State; the laws have been executed as faithfully, and justice administered as impartially as in any other country; the faith of the State has been scrupulously preserved, and her credit stands deservedly high, both at home and abroad. Improvements are being extended to afford the farmer and mechanic a cheap and expeditious mode of transportation for the surplus products of their labor, and for the supplies they are to receive in return; a university, of the highest rank, aided by numerous colleges and academies, of a high order, and a system of common schools, which will soon be second to that of no other State, are rapidly extending the facilities of mental improvement to every class of our citizens; the geological examinations are almost daily disclosing valuable additions to the inexhaustible mineral wealth of the State; and, added to all these, we have a population that is unsurpassed in the essential elements of true greatness. But, notwithstanding this gratifying condition of things, there are many subjects intimately connected with the welfare and prosperity of the people of the State, which require the action of the General Assembly.

In a government like ours, where the voice of the people, to a great extent, controls public measures, education is not only a subject in which every good citizen feels a deep interest, but it becomes one of great public importance, and demands the foster-

ing care of the State. Hence that clause in the constitution which declares—

"That a school or schools shall be established by the Legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices: and all useful learning shall be duly encouraged and promoted in one or more universities."

The University of the State is in successful operation, sustaining the high reputation it has long and deservedly enjoyed; and, at each commencement, sends forth a number of graduates to engage in the various pursuits of life. This institution is every year educating, gratuitously, no inconsiderable number of meritorious young gentlemen, who have not the means for that purpose. It would be difficult to estimate the beneficial influences the University has exerted in North Carolina, and in other States of the Union.

Our common schools have been in operation but for a comparatively short period, and are progressing as well, perhaps, as we have a right to expect, when we consider the many difficulties that have to be encountered in the commencement of such a sys-There are doubtless still many defects in the management of these schools, which time and experience will enable us to cor-The system, however, is doing incalculable good, and its beneficial influence will be more strikingly obvious to the generation which succeeds us. There is no subject more worthy of favorable consideration than common schools. The greatness of a State depends upon her people. In a few years, those who now direct public affairs will pass from the stage of action, and the welfare and destiny of the State and the republic will be committed to the charge of a new generation. If that generation shall be found wanting in wisdom and virtue, what is to be the fate of the monuments of greatness erected by its ancestors? The education of the masses of the people is the best security for the rights of persons and of property; and, in a free government, where intelligence and virtue are the true passports to fame and distinction, it places the poor and obscure upon an equality with the rich and powerful, and will prove the best means of perpetuating the blessings of liberty.

During the last year, there was distributed, from the literary

fund, for common schools, in the various counties of the State, the sum of one hundred and twenty-eight thousand one hundred and two dollars, fourteen cents, (\$128,102 14;) and, during the present year, the sum of one hundred and eighty thousand eight hundred and fifty dollars, eight cents, (\$180,850 08,) has been distributed for the same object. It is believed that nearly the same amount has been collected by taxation, in the counties, for the support of common schools.

The report of the general superintendent of common schools, for the past year, gives an account, in detail, of the labors and observations of that officer. It states many gratifying facts, and presents various suggestions in regard to the improvement of the schools. It is herewith transmitted. His report for the present year will be communicated in due time.

It is desirable that the principal of the literary fund should be increased, to permanently secure a larger distribution for the support of common schools.

The swamp lands are an uncertain source of income, and their successful management requires a degree of personal attention, that it would be extremely inconvenient for the executive to bestow. The titles of large tracts of the land are in dispute, and it is believed, that trespasses, materially impairing their value, have been committed on them, for years. When counsel are instructed to bring suits, a difficulty arises in procuring the information necessary to their successful prosecution. The lands, in many instances, are inaccessible, except to persons who have experience in their exploration. Further legislation is necessary to protect the public interest in these lands. It is believed that public policy demands that provision should be made for the appointment of an efficient agent, to be paid a reasonable salary, whose duty it should be, under the instructions of the literary board, to procure facts to enable the board to protect its interest in the swamp lands.

The institution for the education of the deaf and dumb and blind, is in successful operation, and affords great facilities for imparting instruction to these unfortunate classes of our population, who, by the knowledge they receive, are prepared to become intelligent and useful members of society. The institution is under the management of a board of directors who perform a good deal of labor without receiving any compensation. I respectfully rec-

ommend that provision be made to pay the members of the board a reasonable sum for their services, and that the executive or some other State officer, be associated with the board in the management of the institution.

The president and directors of the literary fund will, in due time, submit a report, showing the condition of the fund, and the proceedings of the board in relation to other subjects committed to their management.

Under the existing provisions of the constitution of this State, a freehold of fifth acres of land is one of the indispensable qualifications required of a voter for a Senator of the General Assembly. This requirement is unjust, and ought to be removed. The question of free suffrage has been so much discussed, and its importance has become so well understood, that it does not require a lengthy discussion on this occasion. The proposition that no man ought to vote for a representative in one branch of the Legislature, without he owns fifty acres of land, is so palpably wrong, that the time will come when the fact that it ever had a place in the constitution, will be regarded with profound astonishment. No system of free government can be based upon the supposition that the people are politically corrupt, and incapable of exercising the right of suffrage.

This feature of the constitution disfranchises, in one branch of the Legislature, at least fifty thousand of the free white men of the State. These men are as ready as any portion of our population, to contribute their means for the support of government, and to sacrifice their lives in defence of the honor and liberty of their country. They constitute an intelligent, industrious and meritorious part of our citizens, and may safely be entrusted with political equality. The larger number of them are possessed of estates of more value than the ordinary freehold of fifty acres of land, and are engaged in the various honorable pursuits of life. Every candid mind must admit that fifty acres of land does not endow its owner with knowledge, nor does it impart to him virtue or patriotism, when he goes to the ballot-box.

Free suffrage will not deprive the land-holder of any right he now enjoys, but it will give the non-landholder a great privilege, which is now unjustly withheld from him. The people at their elections, have repeatedly declared, by large majorities, in favor

of this question of constitutional reform, and they are in favor of effecting it by the Legislative mode. The constitution prescribes two modes for future amendments: one is by a three-fifths and a two-thirds vote of each House of two consecutive Legislatures, and subsequent ratification by the voters of the State; the other is by a convention authorized to be called by a two-thirds vote of each branch of the Legislature. The former mode is preferable for obtaining free suffrage, because it is safe, economical, and practicable, while the latter is the very reverse. The constitution requires amendments by the Legislature, to be submitted to the voters of the State for ratification; but there is no such injunction imposed in regard to amendments by a convention.

I earnestly recommend that an amendment to the constitution, giving every qualified voter for the Commons, the right also to vote for Senator, be passed by the requisite majorities of the two Houses of the General Assembly, to be submitted, in conformity to the requirements of the constitution, to the action of the next General Assembly, and subsequently to the people of the State for ratification.

The justice of free suffrage is so manifest, that even among free-holders themselves, there is an overwhelming majority who are in favor of its adoption. The elective franchise is the dearest right of an American citizen, and it is the exercise of this invaluable privilege that distinguishes free governments from despotisms. It is hoped the odious distinction between voters will be erased from our constitution, and that we shall, in fact, become a people of "equal rights and equal privileges."

The opinions I have heretofore expressed, in opposition to altering the basis of representation, remain unchanged.

The election of judges and justices of the peace by the people, and for terms less than for life, are also questions of reform, which I recommend to the favorable consideration of the General Assembly.

Agriculture is the great interest of the State, and upon its success depends the prosperity of all other industrial pursuits. This important interest has been too much neglected. The agricultural survey of the State will no doubt be attended with highly beneficial results. The same may be said of the act passed by the last Legislature to encourage agriculture, domestic manufactures,

and the mechanic arts. It is the paramount duty of every well regulated government, to extend due encouragement to those engaged in the cultivation of the soil. There is no pursuit more honorable or better calculated to promote the happiness of man, and none more important to the preservation of republican institutions. A new impulse has been given to this branch of industry, that is perceptible in every part of the State. The tide of emigration which has hitherto drained North Carolina of her wealth and population, has already been stayed, and the enterprise and capital of other portions of the country are now attracted within her limits, affording evidences of prosperity, and contributing towards her advancement to the high position she is destined to occupy.

Intimately connected with the prosperity of agriculture, manufacturing and mining, stands the subject of internal improvements. Commerce in this age is an essential element, without which the great industrial pursuits must languish. That which is comparatively valueless in one part of the world, often becomes a vast mine of wealth when conveyed to another. The value of commerce does not consist in the profitable exchange of commodities alone; but it enables us also to avail ourselves of the improvements and knowledge of every part of the globe. The geographical position of the State is such that her immense stores of wealth could be of little advantage in the scale of commerce, were it not for inland improvement. To the full development of our resources, there are presented many obstacles, which appear almost insurmountable; yet we ought to remember that these are more than compensated by the great advantages we enjoy. reflect that others have overcome greater obstacles, there is no cause to despair. For when we consider health, comfort, salubrity of climate, and capacity for agriculture, manufacturing and mining, North Carolina is not surpassed by any State in the Union. A judicious system of internal improvements by the State, has ever been regarded as a subject of great importance, and entitled to the favorable consideration of the General Assembly. provements already completed, as well as those in the course of construction, have been productive of very important advantages; but they are still far from affording facilities adequate to the wants of the people. There never was a time when there existed a stronger necessity for self-reliance. The North during the last twenty-five years, in the way of protection and other unjust exactions, has extorted from North Carolina more money than would have been required to improve all our rivers and construct all of our railroads. The farmers and other classes, need cheap transportation and convenient markets where they can carry their property with safety. They need commercial and manufacturing towns and cities at home, with shipping to do their own importing and exporting, without continuing longer to pay tribute to the North. They need intercommunication within their own State, that they may understand and appreciate the wants of each other.

These desirable objects can be accomplished by inland improvements. They, however, are not the work of a day, nor of a year, but time and a large expenditure of money will be required for their completion. What can be done with safety ought to be done now, and the rest left to time. In embarking in internal improvements, a due regard should be had to the means and resources of the State, as well as to the necessity and practicability of the works themselves. Wild and visionary schemes should be avoided, and the credit of the State should be inviolably maintained. The works should at least promise advantages to the people corresponding with the amount to be expended. The particular objects of improvement which it is expedient to prosecute at this time, is a question submitted to the prudence and discretion of the General Assembly.

Since the re-organization of the Raleigh and Gaston Railroad Company, the road under the charge of that company has been thoroughly repaired, and the connecting link between that road and the Wilmington and Raleigh, and the Seaboard end Roanoke railroads has been completed. This road affords increased facilities for transportation and travel to an important portion of the State. It is represented to be in a very prosperous condition, and is now paying a very handsome dividend to the State.

The Wilmington and Raleigh Railroad continues to afford great facilities to the public, and pays good dividends, which go to increase the income of the literary fund. This road too is represented as being in a very prosperous condition.

The North Carolina Railroad is progressing with the usual expedition of such works, and a considerable portion of the road has

been laid down. This important enterprise when completed, promises great advantages to a large portion of the State.

The Board of Internal Improvement have, from time to time, as it became necessary, ordered the public treasurer to sell the bonds of the State to pay her subscription to this road. Up to this time, the sum of one million six hundred and thirty thousand dollars (\$1,630,000) of the bonds authorized by law to be issued for this purpose, have been sold by the public Treasurer. The State has realized no inconsiderable sum for premium obtained on these bonds, a fact affording the highest evidence of her credit and standing. The report of the President and Directors of this company will be communicated in due time.

The charter of the North Carolina Railroad Company provides for the representation of the stock of the State in the meetings of the stockholders, but does not point out the mode by which such representation shall be appointed. At the last session of the General Assembly, an act was passed proposing certain amendments to the charter, one of which authorized the Executive to make the appointment; and with that proposition there was incorporated another which, in all probability, would have placed the State, which owns two thirds of the stock, in a minority in the meetings of the stockholders. This act was, in my opinion, very properly rejected by the individual stockholders themselves. At each meeting I appointed a representative for the State, but I am unofficially informed that such appointment has not been recognised as sufficient, and the consequence has been that the State has been unrepresented in their meetings. The right of representation is provided for in the charter, and its exercise does not depend upon the assent of the individual stockholders. Therefore, to make this question perfectly clear, it is only necessary to provide, by law, the manner in which such representative shall be appointed.

In all cases where the State makes a subscription to a corporation, she ought to retain the right to be represented in proportion to her stock.

The construction of the Wilmington and Manchester Railroad has been prosecuted with much energy and enterprise, and the improvement is affording important advantages to a portion of the State. As far as I have been informed, the company having this

road in charge has not officially acted on the amendment proposed to its charter by the last General Assembly. It is believed, however, that the amendment will not be accepted.

The State's subscription to the Neuse River Navigation Company has been paid. The report of the president and directors in relation to the valuable improvement under the charge of that company, is herewith transmitted.

The subscription authorized by the act of the last session of the Legislature to be made to the Cape Fear and Deep River Navigation Company has been paid upon a compliance with the conditions prescribed. The improvement under the charge of this company is a desirable object, and when completed will afford important commercial advantages.

The appropriation for the improvement of Tar River has been paid to the commissioners appointed to superintend that work.—
It is believed that the appropriation will be found insufficient to complete this desirable improvement

The Fayetteville and Western Plank Road has been extended. This valuable improvement has paid good dividends and affords great facilities to the public. The report of the president and directors of the company having that road in charge is herewith transmitted.

The Western Turnpike has also been extended, and is a work affording great convenience to the portion of the State in which it is located.

The stock of the McDowell and Yancey Turnpike has been subscribed, and a part of the State's subscription has been paid.

The reports of the Cape Fear Navigation Company, and of the Western Plankroad Company, are herewith transmitted. Also the report of the president of the Petersburg, and of the Greenville and Roanoke Railroad Companies; and the report of the president and directors of the Roanoke Navigation Company.

Agreeably to the provisions of the act passed at the last session of the General Assembly, to incorporate the Atlantic and North Carolina, and the North Carolina and Western Railroad Companies, arrangements were made with the president and directors of the North Carolina Railroad Company, for the survey of a railroad route from Beaufort Harbor to Goldsboro', and also for the survey of a route from Salisbury to the Tennessee line. In pur-

suance of these arrangements, Col. Walter Gwynn was appointed chief engineer to superintend their execution. The surveys of both of these important improvements have been made. The able report of the survey of the eastern route has been made, and is herewith transmitted. The report of the western route will be transmitted when finished.

The attention of the General Assembly is respectfully invited to the subject of common public highways. Good roads are very important to every community. The present mode of assessing the labor, to construct and repair the common highways, is unjust and unequal. The labor performed is a tax. It frequently occurs under the existing law, that persons possessed of large estates, contribute little or no labor in repairing roads, while heavy exactions are made of others whose means are very limited. This is wrong. Persons ought to contribute in proportion to the value of their estates.

The amount of public debt, on the 31st of October, 1854, was two million, eight hundred and ninety-five thousand, seven hundred and twenty-two dollars, thirty-three cents, (\$2,895,722 33). This does not include two hundred and fifty thousand dollars, (\$250,000) of the bonds of the Wilmington and Raleigh Railroad Company, which were endorsed by the State, because the company regularly meets the interest, and from time to time, is paying a portion of the principal of its debt.

The report of the public treasurer, showing the condition of the finances of the State, will, in due time, be communicated.

The report of the Comptroller, for the fiscal year ending October 31st, 1853, is herewith transmitted.

In regard to our revenue system, I repeat the recommendation contained in my message at the commencement of the last session of the General Assembly. No more money should be collected from the people than is necessary to defray the economical expenses of a good government. Taxation is indispensable; but it is one of the first duties of the statesman to endeavor to equalize the burdens, as well as the benefits, of the system. Of late years, the demands upon the treasury have increased, and our financial system has assumed a more important aspect. The tax for county purposes is collected entirely on land and polls; and the amount paid into the public treasury, on these two items, is small, when

compared with the tax paid for county purposes. An examination into the existing revenue laws will show that they operate unequally. In many cases, the discrimination made between objects of taxation is strikingly unjust.

As a general rule, it is believed that the tax on the estate of each person should be in proportion to its value, subject to such exceptions as circumstances and fundamental principles may justify. Inasmuch as property, on the one hand, ought not to be made the test of public privilege, neither, on the other hand, ought the absence of property to exempt the person from bearing a just share of the public burden. Therefore, a capitation tax is imposed. Slaves are regarded, to some extent, as both persons and property. The following wise provision of our State Constitution, which ought not to be departed from, defines the power of legislation on this subject:

- 1. "Capitation tax shall be equal throughout the State, upon all individuals subject to the same.
- 2. "All free males, over the age of twenty-one years and under the age of forty-five years, and all slaves, over the age of twelve years and under the age of fifty years, shall be subject to capitation tax, and no other person shall be subject to such tax; provided that nothing herein contained shall prevent exemptions of taxable polls, as heretofore prescribed by law, in cases of bodily infirmity."

It will be seen that slave property must form an exception in framing an ad valorem system of taxation. White males alone are subject to a poll tax, while a poll tax is imposed on both male and female slaves, and the period of taxation begins nine years earlier, and continues five years longer on the latter. Thus, it will appear, that by taxing both sexes, the amount of revenue collected from the tax on slaves is double the amount collected on white polls, in proportion to the entire population of the two races; and the difference in the duration of the period for which they are taxed, is equivalent to one hundred per cent. more. It is, therefore, obvious, that in proportion to the whole number of each race, the poll tax paid on slaves is three times as much as that paid on the white population. So it will be found that this provision of the Constitution has imposed a tax on slaves in the

two-fold character of persons and property, and that an ad valorem tax cannot be imposed on that species of estate.

Persons and property being the principal objects of taxation, they should bear a fair and just relation to each other in a system of revenue. It is believed that, after excepting slaves, each person's estate, real and personal, including money, whether at interest or not, ought to be taxed alike, according to value. This would require every person to contribute in proportion to the value of his or her estate, and would equalize the public burden between the various classes, upon principles of justice. I know of no better rule to ascertain the ability of the owner to pay, or the degree of protection his estate requires from government, than by resorting to the actual value of such estate. This system need not interfere with taxing certain employments and the income of certain professions, as is now done. Such persons as do not possess personal estate of the value of one hundred and fifty dollars, (\$150) ought to be exempt from property tax, and an exemption of a like amount might be made in favor of all others. It is believed that a system of revenue based on these principles, is demanded by public policy.

In conformity to an act passed at the last session of the General Assembly, I appointed the Hon. Thomas Ruffin one of the commissioners to revise and digest the public statute laws of the State, but he declined to accept, and the duties of the commission were completed by Messrs. Moore and Biggs, who have bestowed upon the subject much labor and investigation. The result will in due time be communicated to the General Assembly. This subject will require careful examination, and must necessarily protract the length of the session.

The charters of two of the principal banks of the State will soon expire, and it becomes the duty of the General Assembly either to recharter them, or to establish others to supply the deficiency in the paper circulation, that would result from closing the business of these institutions. The amount of banking capital best adapted to the convenience and substantial prosperity of the State, is a difficult question to determine. It is believed, however, that the amount at present employed, is not adequate to the wants of the public. Banks or branches are needed at some points where at present there are none, and at other places where they

already exist, an increase of capital, and in some cases, an addition to the number of banks, would seem to be demanded. Undue contractions and expansions of the amount of the paper currency ought, as far as possible, to be avoided. The circulation of notes of a less denomination than three or five dollars, should be prohibited; and wholesome restrictions imposed to protect the public against the evils of a depreciated currency.

A well regulated judiciary system is necessary to the security of the rights of persons and of property. North Carolina has been pre-eminently blessed in the wholesome administration of justice in her courts. This has doubtless been more the result of the integrity and wisdom of her judges, than of the perfection of the system itself. It is believed that the Supreme Court ought to consist of four judges instead of three. With the present number, when the court is divided, and the majority are for overruling the decision of the court below, counting the judge who tried the case, the weight of authority, as far as the number of judges is concerned, is equal on both sides. Yet, in such cases, the decision below is reversed, and important legal questions finally adjudicated. If the court consisted of four judges, then on an equal division of the court the decision below would stand. To adjudicate the question and reverse the decision below, would require the concurrence of three of the judges of the Supreme Court.

It is believed that public convenience requires that two additional judicial circuits should be formed, and the corresponding number of judges and solicitors appointed.

The attorney general is at present required to perform the duties of solicitor of the third circuit. He ought to be relieved of those duties, and a solicitor appointed to perform them. The attorney general, for the time being should reside in Raleigh; and in addition to attending the Supreme Court, as now required, he should attend to the business of the public boards in all the courts. I would also suggest that it be made the duty of that officer to superintend the enrolment of all bills and resolutions passed by the General Assembly; and when requested, to give written opinions to the heads of the departments.

It is important to collect the statistics of crime in this State. This might be easily done by making it the duty of the clerks of the county and superior courts to make annual returns to the

attorney general or executive, to be compiled for the use of the General Assembly.

Since the last session of the Legislature, the Hon. Thomas Settle, one of the judges of the superior courts of law and equity, has resigned. With the consent of the council of State, the Hon. Samuel J. Person was appointed to fill his place. It becomes the duty of the General Assembly to supply the vacancy.

The lunatic asylum is advancing towards its completion. This institution will soon be open for the reception of patients. The commissioners appointed to superintend the construction of the buildings deserve great credit for the manner in which they have discharged their duties. Without compensation, they have performed much labor and incurred heavy responsibilities.

The establishment of a scientific and military school is a subject of importance, to which I beg leave to call the attention of the General Assembly.

The training of the militia, and additional encouragement to the formation of volunteer companies, are subjects worthy of consideration.

The report of the State geologist, giving a detailed account of the progress of the work committed to his charge, will be transmitted at an early day.

It is but justice to state, that the public treasurer, the secretary of State, and comptroller of public accounts, have performed the duties of their respective offices with ability, industry and fidelity.

A circular from the Secretary of State of the United States is herewith transmitted. I am not prepared to endorse the recommendation contained therein.

Herewith is transmitted the proceedings of a public meeting held in Philadelphia, in relation to a monument in that city in commemoration of the declaration of independence, and in honor of the signers thereof, which I have been requested to lay before the General Assembly.

I would respectfully suggest the propriety of erecting, on the capitol square, in the City of Raleigh, two small but neat and appropriate monuments; one to the memory of the officers and soldiers of the revolution, and the other to the memory of the signers of the Mecklenburg declaration of independence.

The bright prospect of our State affairs, I regret to say, is

somewhat clouded by the reckless spirit of fanaticism, which threatens the violation of the Constitution and the dissolution of the Union. The conviction is growing deeper every day, that the abolitionists of the North are determined that the South shall not repose in the quiet enjoyment of her domestic institutions. The politicians and clergy who lead these fanatics, are not purer or wiser than were the cotemporaries of the framers of the Federal Constitution. Then the statesmen and divines were content to take the Bible and the Constitution as the "touch-stones" of their faith, and the North and the South could meet in a spirit of harmony, and unite in a common effort to secure the blessings of civil and religious liberty. But how changed is the picture of the present day! Now these "higher law" men disregard the compromises of the Constitution, and are mischievously endeavoring to violate the rights of our property, and destroy our domestic peace and security. This is a question of paramount importance, and I recommend the General Assembly to declare, firmly and decidedly, that we shall require the compromises of the Constitution to be observed in good faith on the part of the North, and that North Carolina knows her rights and will maintain them.

I close this communication with the expression of the sincere desire that your deliberations may be characterized by harmony; and that the result of your action may be calculated to advance the prosperity and promote the happiness of the people.

DAVID S. REID.

Executive Department, Raleigh, November 20, 1854.

Mr. Dortch, from the committee heretofore appointed to prepare rules for the government of the House of Commons during its present session, reported the following:

RULES AND ORDER OF CONDUCTING THE BUSI-NESS IN THE HOUSE OF COMMONS.

TOUCHING THE DUTY OF THE SPEAKER.

1. He shall take the chair every day precisely at the hour to which the House, on the preceding day, adjourned; shall imme-

diately call the members to order; and, on the appearance of a quorum, cause the journal of the preceding day to be read.

- 2. He shall preserve decorum and order; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member; on which appeal, no member shall speak more than once, unless by leave of the House.
 - 3. He shall rise to put a question, but may state it sitting.
- 4. Questions shall be distinctly put in this form, namely: "As many as are of the opinion that (as the question may be,) say Aye:" and, after the affirmative voice has been expressed, "As many as are of the contrary opinion say No." If the speaker still doubt, or a count be required, the speaker shall name two members, one from each side of the House, to tell the members in the affirmative; which, being reported, he shall then name two others, one from each side of the question, to tell those in the negative; which, being also reported, he shall rise and state the decision to the House.
- 5. The speaker shall examine and correct the journal before it is read. He shall have a general direction of the hall. He shall have a right to name any member to perform the duties of the chair; but such substitution shall not extend beyond an adjournment, except in case of sickness.
- 6. All committees shall be appointed by the speaker, unless otherwise specially ordered by the House.
- 7. In all elections the speaker shall vote. In other cases he shall not vote, unless the House be equally divided, or unless his vote, if given in the minority, will make the division equal: in case of such equal division, the question shall be lost.
- 8. All acts, addresses and joint resolutions shall be signed by the speaker; and all writs, warrants and subpœnas, issued by order of the House, shall be under his hand and seal, attested by the clerk.
- 9. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or chairman of the committee of the whole) shall have power to order the same to be cleared.
- 10. No person except members of the Senate, officers and clerks of the two Houses of the General Assembly, judges of the supreme and superior courts, officers of the State resident as the seat of

government, members of Congress, persons particularly invited by the Speaker, and such gentlemen as have been members of either House of the Legislature, shall be admitted within the hall of the House.

11. Stenographers wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor, or elsewhere, to effect their object, as shall not interfere with the convenience of the House.

ORDER OF BUSINESS OF THE DAY.

- 12. After the reading of the journal of the preceding day, the House shall proceed to business in the following order, viz: 1st, the receiving petitions, memorials, pension certificates, and papers addressed either to the General Assembly or to the House; 2d, the reports of standing committees; 3d, the reports of select committees; 4th, resolutions; 5th, bills; 6th, bills, resolutions, petitions, memorials, messages, pension certificates, and other papers on the table. Then the orders of the day; but motions and messages to elect officers shall always be in order.
- 13. The unfinished business in which the House was engaged at the last preceding adjournment shall have the preference in the orders of the day; and no motion or any other business shall be received, without special leave of the House, until the former is disposed of. All elections by the House shall be viva voce, unless there be but one nominee; in which case, appointments may be made on motion; and, on such elections, the roll shall be called a second time for absentees, before the result is announced.

OF DECORUM AND DEBATES.

- 14. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker.
- 15. When the Speaker shall call a member to order he shall sit down; as also he shall when called to order by another member, unless the Speaker decide the point of order in his favor. By leave of the House, a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands, but by permission of the House. Any member may appeal from the decision of the chair; and if, upon

the appeal, the decision be in favor of the member called to order, he may proceed; if otherwise, he shall not, except by leave of the House; and if the case in the judgment of the House require it, he shall be liable to its censure.

- 16. When two or more members rise at the same time, the Speaker shall name the member to speak.
- 17. No member shall speak more than twice on the same question, without leave of the House.
- 18. Whilst the Speaker is putting any question, or addressing the House, no person shall speak, stand up, or walk out or across the House; nor, when a member is speaking, entertain private discourse, stand up, or pass between him and the Chair.
- 19. No member shall vote on any question touching his right to a seat in the House, or on the passage of any private bill or resolution, in the event of which he is immediately and directly interested, or in the case where he was not present when the question was put by the Speaker. Upon a division and count of the House on any question, no member without the bar shall be counted.
- 20. Every member who shall be in the House when the question is stated, shall give his vote, unless the House, for special reasons, shall excuse him.
- 21. When a motion is made, and seconde!, it shall be stated by the Speaker, or if written, it shall be handed to the Chair, and read aloud by the Clerk, before debated.
- 22. Every motion shall be reduced to writing, if the Speaker or any two members desire it.
- 23. After a motion is stated by the Speaker, or read by the clerk, it shall be deemed to be in the possession of the House, but may be withdrawn before a decision or amendment; except in case of a motion to reconsider, which motion, when made by a member, shall be deemed, and taken to be in possession of the House, and shall not be withdrawn without leave of the House.
- 24. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a certain day, to commit or amend; which several motions shall have precedence, in the order they stand arranged; and no motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, being decided,

shall be again allowed on the same day, and at the same stage of the bill or proposition.

- 25. A motion to adjourn shall always be in order, except when the House is voting or some member speaking, and shall be decided without debate.
- 26. When a question is postponed indefinitely, the same shall not be acted upon again during the session.
- 27. Any member may call for a division of the question when the same shall admit of it, which shall be determined by the speaker.
- 28. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day.
- 29. When the reading of a paper is called for, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.
- 30. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer; and shall not be debated or decided on the day of their being first read, unless the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.
- 31. No bill, petition, memorial, or other papers that may be introduced, shall be taken out of the possession of the House, or sent to the Senate, until the time of reconsideration shall have elapsed.
- 32. When the yeas and nays are called for, on any question, it shall be on motion before the question is put, and if seconded, the question shall be decided by yeas and nays; and in taking the yeas and nays, or on a call of the House, the names of the members shall be taken alphabetically.
- 33. No member shall be called upon for words spoken in the House, but on the day they were spoken. Decency of speech shall be observed, and personal reflections carefully avoided.
- 34. Any twenty members, including the Speaker, shall be authorized to compel the attendance of absent members.
 - 35. No member or officer of the House shall absent himself

from the service of the House, without leave, unless from sickness or inability to attend.

- 36. Any member may excuse himself from serving on any committee at the time of his appointment, if he is a member of two standing committees.
- 37. If any member shall be necessarily absent on any temporary business of the House, when the vote is taken on any question, upon entering the House, he shall be permitted, on motion, to vote.
- 38. No standing rule or order shall be rescinded, altered, or suspended, without one day's notice given of the motion thereof; and to sustain such motion, two thirds of the House shall be required.
- 39. The members of this House shall uncover their heads upon entering the Hall, whilst the House is in session, and shall continue so uncovered during their continuance in the Hall.

COMMITTEES.

- 40. Upon motion of any member, there shall be a call of the House, a majority of the members present assenting thereto; and upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted: after which the names of the absentees shall again be called over. The doors shall then be closed, and those from whom no excuse or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for and taken into custody wherever to be found, by special messengers appointed for that purpose.
- 41. Six standing committees shall be appointed at the commencement of the session, viz: A Committee on Claims, a Committee on Propositions and Grievances, a Committee on Education, a Committee on Agriculture, a Committee on Internal Improvement, and a Committee on Privileges and Elections. Each of said committees shall consist of eleven members, one from each electoral district, and three at large, to be appointed by the Speaker. In addition to the above standing committees, the Speaker shall appoint another—two members from each judicial circuit—to be denominated the Committee on Private Bills.
 - 42. A select standing committee, consisting of eleven members,

shall be appointed at the commencement of the session by the Speaker, and be denominated "the Committee on the Judiciary."

43. Select committees shall consist of five members. It shall be the duty of the person first named on any committee, to cause the members of the committee to convene when necessary, and when so convened, they shall appoint some one of their number chairman.

44. In forming a committee of the whole Honse, the Speaker shall leave the chair, and a chairman to preside in committee, shall be appointed by the Speaker.

45. Upon bills committed to a committee of the whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections, before a question on its passage be taken.

46. All questions, whether in committee, or in the House, shall be propounded in the order in which they were moved, except that, in filling up blanks, the largest sum and longest time shall be first put.

47. The rules of proceeding in the House shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the times of speaking.

48. In a committee of the whole House, a motion that the committee rise, shall always be in order, except when a member is speaking, and shall be decided without debate.

OF BILLS, RESOLUTIONS, ETC.

49. Every bill shall be introduced by motion for leave, or by order of the House on the report of a committee.

50 Every bill shall receive three several readings in the House, previous to its passage; and the Speaker shall give notice at each whether it be its first, second or third. 'The first reading of a bill shall be for information; and, if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition

be made, or if the question to reject be negatived, the bill shall go to its second reading without question.

- 51. Upon the second reading of the bill, the Speaker shall state it as ready for commitment or amendment.
- 52. All bills shall be dispatched in order as they were introduced, unless when the House shall direct otherwise; but no public bill shall be twice read on the same day, without the concurrence of two thirds of the members present.
- 53. All resolutions, which may grant money out of the Treasury, or such as shall be of a public nature, shall be treated, in all respects, in a similar manner with public bills.
- 54. When a bill is introduced to repeal a public law, or any part thereof, the law, or part intended to be repealed, shall be read at the second reading of the repealing bill; and shall not be read at any other reading of the said repealing bill, unless required by one-third of the House: Provided, however, that this rule shall not apply to the report of the commissioners to revise the Statutes.
- 55. When a bill has been once rejected, no other of the same purport shall be introduced again during the session.
- 56. The Clerk of the House shall be deemed to continue in office until another is appointed.

Which were read and adopted.

On motion by Mr. Dargan, the Honse adjourned to to-morrow morning, 10 o'clock.

THURSDAY, November 23, 1854.

Mr. Bynum, of Northampton, presented a series of resolutions referring portions of the Governor's message to committees; and,

On motion by Mr. Barringer, the same were laid upon the table.

Mr. Jordan, from the committee on joint rules, reported the following, which were read and adopted:

JOINT RULES OF BOTH HOUSES.

1. Each House shall perfect and finally act on all bills, resolutions and orders, before the same shall be communicated to the other for its concurrence; and if amended in the House to which it is transmitted, it shall be communicated to the House in which

it originated, asking the concurrence of that House in the amendment.

- 2. In any case of amendment of a bill, resolution or order agreed to in one House and disagreed to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, each committee shall consist of an equal number, and they shall meet and state to each other the reasons of their respective Houses for and against the amendment, and confer freely thereon, and make a report in writing to their respective Houses of the result of their conference.
- 3. Messages from one House to the other shall be sent by the clerk assistant of each House, unless otherwise ordered.
- 4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent by the doorkeeper, and shall be respectfully delivered to the Chair by the person by whom it may be sent.
- 5. After a bill shall have passed the House in which it originated, it shall be under the signature of the clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.
- 6. After a bill shall have passed both Houses, it shall be duly enrolled, on suitable paper, by the engrossing clerks, before it shall be presented for ratification.
- 7. The two preceding sections shall not apply to the Revised Statutes so as to require them to be transcribed, but the printed Statutes may be used for engrossment and enrollment; and where amendments are made, such amendments shall be appropriately and duly engrossed or enrolled upon the printed Statutes, or upon suitable paper attached thereto.
- S. When bills are enrolled they shall be carefully examined by a joint committee of three from the Senate and five from the House of Commons, whose duty it shall be to carefully compare the enrollment with the engrossed bills as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of said bills to the House.
- 9. After examination and report, each bill shall be ratified and signed in the respective Houses; first by the Speaker of the House of Commons, and then by the Speaker of the Senate.

- 10. All orders, resolutions and votes of the houses shall be examined, engrossed and signed in the same manner as bills.
- 11. When a bill or resolution which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same may have passed.
- 12. The committee in each House shall in all cases make a statement of facts on which their report is founded; which statement, with all other papers on which any bill or resolution may be formed, shall be transmitted to the other House.
- 13. The committee of finance shall be joint, consisting of eight members from each House; the library committee shall be a joint standing committee, consisting of three members from each House, appointed by the speakers thereof respectively; there shall also be a joint committee on the Revised Statutes, consisting of six members of each House, to be appointed by the Speakers of the two Houses respectively, to which committee shall be referred the Statutes reported by the commissioners, except the chapter entitled "Revenue," which shall be referred to the committee on finance.
- 14. In all joint committees, the member first named on the committee on the part of the House proposing to raise such committee shall convene the same; and when met they shall choose their own chairman.
- 15. Either House may make a reference to any joint committee, and all reports shall be made to the House ordering such references.
- 16. Whenever either House shall order any paper or document to be printed, it shall be printed in octavo form, on good paper, and with fair type; and those documents ordered to be printed by the Senate, shall be printed as "Senate Documents," and those ordered to be printed by the House of Commons shall be printed as "House Documents," and numbered in regular order; except when communications are made to either House by the Governor, treasurer, comptroller, or secretary of State, and are ordered to be printed, they shall be designated as "Executive Documents," and said papers and documents shall be distributed in the following manner: one copy thereof to each member of the General Assembly, one copy to the clerks of each House for the use thereof,

and ten copies shall be deposited in the public library, and the public librarian be required to have them neatly bound.

17. All elections requiring a joint vote shall be viva voce, and a select committee of two members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said select committees shall confer together and report the result of such election to their respective Houses.

18. The foregoing rules shall be permanent joint rules of the Legislature of North Carolina until altered or amended.

On motion by Mr. Jordan,

Ordered, That a copy of the joint rules reported, be transmitted to the Senate for their concurrence.

Mr. Dortch submitted the following resolution:

Resolved, That a message be sent to the Senate, proposing to print in pamphlet form the Constitution of the State of North Carolina, the rules of the Senate, the rules of the Honse of Commons, and the joint rules of the two Houses—one copy for each member of the General Assembly, and one copy for each of the Clerks, and ten copies to be deposited in the public library.

Which was read, and, on motion by Mr. Dortch, laid upon the table.

Mr. Blow moved that a message be sent to the Senate, proposing go into an election for a United States Senator for the term of six years from and after the 4th of March, 1855, at 12 o'clock today, and that the name of Asy Biggs is in nomination.

Mr. Love moved to amend by striking out "to-day," and inserting the "first Monday of December next."

Mr. Blow withdrew his motion, and moved that a message be sent to the Senate proposing to go into said election on to-morrow at 12 o'clock, M.

Mr. Dargan moved to amend by striking out "to-morrow," and inserting "the first Monday of December next," upon which he demanded the yeas and nays. The amendment was disagreed to; yeas 53, nays 60.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Dargan, Daniel, Davenport, Eure, Furr, Gorrell, G. Green, Harrison, J. H.

Headen, Horton, Johnson, Jones, J. M. Leach, H. Leach, Love, March, Mann, McKesson, Mebane, Mordecai, S. J. Neal, Ontlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Russell, Shipp, Sharpe, Simmons, Smith, Stubbs, Steele, Thornburg, Turner, Vance, Walser, Wilkins, Winston, B. F. Williams and Yancey—53.

Those who voted in the negative, were,

Messrs, J. Barnes, A. Barnes, Badham, Black, Blow, Bryant, J. B. Bynum, Cansler, Cofield, Cotten, Danghtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Joidan, Lancaster, Long, Lyon, Martin, McMillan, McDuffie, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shepherd, Shaw, Sherrill, Singeltary, Sutton, Tomlinson, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, T. H. Williams, S. A. Williams, C. W. Williams, D. Williams and Wright—60.

Mr. J. M. Leach moved to amend by striking out "to-morrow" and inserting "Wednesday next," which amendment was also disagreed to.

Mr. Winston moved an adjournment of the House, upon which Mr. Dortch demanded the yeas and nays.

The House refused to adjourn; yeas 54, nays 60.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cotten, Cook, Craven, Dargan, Daniel, Davenport, Eure, Furr, Gorrell, G. Green, J. H. Headen, A. D. Headen, Horton, Johnson, Jones, J. M. Leach, Love, March, Mann, McKesson, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Russell, Shipp, Sharpe, Simmons, Smith, Stubbs, Steele, Thornburg, Turner, Vance, Walser, Wilkins, Winston, B. F. Williams, T. H. Williams and Yancey—54.

Those who voted in the negative, were,

Messrs. J. Barnes, A. Barnes, Badham, Black, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, Harrison, J. F. Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, H. Leach, Long, Lyon, Martin, McMillan, McDuffie,

Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shepherd, Shaw, Sherrill, Singeltary, Sutton, Tomlinson, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, S. A. Williams, C. W. Williams, D. Williams and Wright—60.

Received from the Senate a message proposing to go into an election for a United States Senator to serve the residue of the Senatorial term commencing on the 4th of March, 1853, on tomorrow, at 12 o'clock, M., and that DAVID S. REID was in nomination before the Senate.

Mr. Cook moved an adjournment, upon which

Mr. Dortch demanded the yeas and nays.

The House refused to adjourn; yeas 52, nays 60.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Bogle, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cotten, Cook, Craven, Dargan, Daniel, Davenport, Eure, Furr, Gorrell, J. H. Headen, A. D. Headen, Johnson, Jones, J. M. Leach, H. Leach, Love, March, Mann, McKesson, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Russell, Shipp, Sharpe, Simmons, Smith, Stubbs, Steele, Thornburg, Turner, Vance, Walser, Wilkins, Winston, B. F. Williams, T. H. Williams and Yancey—52.

Those who voted in the negative, were,

Messrs. J. Barnes, A. Barnes, Badham, Black, Blow, Bryson, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Lyon, Martin, McMillan, McDuffie, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shepherd, Shaw, Sherrill, Singeltary, Sutton, Tomlinson, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, S. A. Williams, C. W. Williams, D. Williams and Wright—60.

The House then concurred in the message from the Senate.
On motion by Mr. Dortch,

Ordered, That a message be sent to the Senate, proposing to go into an election for a United States Senator for the term of six

years from and after the 4th of March next, on Saturday next at eleven o'clock, A. M.

On motion of Mr. D. F. Caldwell, the House adjourned to to-morrow morning 10 o'clock.

FRIDAY, NOVEMBER 24, 1854.

Mr. Henry A. Gilliam, member elect from the county of Washington, presented his credentials, was duly qualified, and took his seat.

Mr. Dortch submitted the following resolution, which was read and adopted:

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee of five on the part of the House, and three on the part of the Senate, to take into consideration all matters relating to the lunatic asylum.

On motion by Mr. Singeltary, an engrossed resolution from the Senate in favor of Oliver H. Perry, was taken up and read the first time, and passed; and

On motion by Mr. Carmichael, laid upon the table.

Received from the Senate a message, informing that they have amended the proposition of the House relative to printing the Governor's Message and accompanying documents, by excluding from the documents to be printed, "the journal of the proceedings of a convention in Philadelphia, concerning a monument to the signers of the declaration of independence;" which amendment was agreed to, and the Senate informed thereof.

The Speaker announced the following standing committees, viz:

Committee on finance:—Messrs. Shepherd, Mebane, Cansler, Steele, Patterson, G. M. White, Smith and Long.

Committee on the library: - Messrs. Houston, Vance and Jenkins.

Committee on education:—Messrs. T. H. Williams, Stubbs, Black, J. H. Headen, Jenkins, Vance, Meares, Humphrey, Wilkins, Selby and Martin.

Committee on propositions and grievances:—Messrs. Waugh, G. M. White, Carmichael, J. Barnes, Winston, Houston, Cook, D. F. Caldwell, Long, Eure and Black.

Committee on the judiciary: - Messrs. Dortch, Shepherd,

Barringer, Jordan, J. G. Bynum, Singéltary, Phillips, J. B. Bynum, Outlaw, Houston and Gorrelf.

Committee on internal improvements:—Messrs. Cansler, McDuffie, Myers, Yancey, J. M. Leach, Badham, Turner, Shipp, McMillan, Carmichael and George Green.

Committee on private bills:—Messrs. Lancaster, Amis, Jenkins, Steele, Singeltary, Shipp, S. A. Williams, Vance, L. Whitfield, Blow, Whitlock, Daniel, Shaw and Roland.

Committee on privileges and elections:—Messrs. McDuffie, Grist, S. A. Williams, McKesson, Jenkins, Simmons, Mordecai, Sherrill, Craven, Watts and Wright.

Committee on agriculture:—Messrs. Norment, Bullock, Bogle, Patton, Martin, J. H. White, Mann, S. J. Neal, Sutton, M. Green and Jarvis.

Committee on claims:—Messrs. Settle, Stubbs, Dargan, Jones, Love, Daniel, Blow, Yancey, Whitaker, Russell and Houston.

Committee on enrolled bills.—Messrs. J. B. Bynum, Cook, Love, J. H. Headen and Yancey.

On motion by Mr. Carmichael, the engrossed resolution in favor of Oliver H. Perry, was taken from the table and referred to the committee on claims.

Mr. Roland submitted a resolution in favor of Jno. A. Robertson, sheriff of Cherokee county, which was read the first time, passed, and referred to the committee on claims.

Mr. J. M. Leach presented the following preamble and resolutions:

Whereas, The public domain of the United States is the common property of all the States, purchased and procured by the common efforts and common treasure of these States, and in which each and all are fairly entitled to participate; and any appropriation of the public lands to particular States, is creative of unequal, improper and unjust discrimination in the use of a common fund.

And, whereas, The precedent has been set, and the practice obtained in the Congress of the United States, for the purpose of internal improvements, education, &c.

And, whereas, The State of North Carolina in a spirit of generous patriotism and fraternal feeling, ceded to the general government a large and valuable portion of the public territory, and is therefore, upon every principle of justice, equality, and sound

policy, fairly and legitimately entitled to her share of the public lands. Therefore,

Resolved, That in behalf of the people of North-Carolina whom we represent, we do solemnly protest against the provisions of a bill recently before Congress under the imposing, but deceptive title of "the Homestead Bill;" as also against the provisions contained in Senator Hunter's substitute or amendment, as operating gross injustice to the citizens of the old States, being in a great measure a gift of the public lands to foreigners and the citizens of States contiguous to said lands, and to the States in which they are located, to the utter exclusion of North Carolina and the other old States.

Resolved, That our Senators and Representatives in Congress be requested to make application by bill or otherwise to that body, for an appropriation to North Carolina of a fair and equitable portion of said public lands or the proceeds thereof, which, when so appropriated, shall be applied to purposes of internal improvements, public education, and in relief of the treasury and burdens of the State.

On motion by Mr. Iseach, the resolutions were laid upon the table, and ordered to be printed.

Mr. Shepherd introduced a bill to repeal the 117th chapter Revised Statutes, entitled an act to restrain the taking of excessive usury, which was read the first time, passed, laid upon the table, and ordered to be printed.

Received from the Senate a message, proposing to go forthwith into an election for engrossing clerk, which was concurred in, and Messrs. Sherrill and Bogle were appointed a committee on the part of the House to superintend the election, and the Senate was informed thereof by message.

Thereupon the House proceeded to vote as follows:

For Mr. JOYNER.—Messrs. Speaker, J. Barnes, A. Barnes, Black, Blow, Bryant, Bullock, J. B. Bynum, Chadwick, Cotten, Dunn, Flynt, J. F. Hill, Holland, Jarvis, Long, Lyon, Martin, McMillan, J. W. Neal, Norment, Sherrill, Singeltary, Simmens, Tomlinson, J. H. White, L. Whitfield, T. H. Williams, C. W. Williams, D. Williams, Wright and Yancey—32.

For Mr. WHEAT.—Messrs. Amis, Barringer, Bogle, Bryson, D. F. Caldwell, Carmichael, Cook, Craven, Dargan, Daniel,

Davenport, Eure, Furr, Garland, Gorrell, Harrison, J. H. Headen, Horton, Johnson, J. M. Leach, H. Leach, Love, March, Mann, McKesson, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Russell, Shipp, Sharpe, Smith, Stubbs, Steele, Thornburg, Turner, Vance, Walser, Wilkins, Winston and B. F. Williams—48.

For Mr. Powell:—Messrs. Badham, J. G. Bynum, Cansler, Cofield, Daughtry, Dortch, Gentry, M. Green, A. D. Headen, Houston, Humphrey, Jenkins, Jones, Jordan, Lancaster, McDuffie, Meares, Myers, Oglesby, Rand, Regan, Rose, Selby, Settle, Shepherd, Shaw, Waugh, Watts, G. M. White, N. B. Whitfield, Whitaker, Whitlock and S. A. Williams—33.

On motion by Mr. Dortch,

Ordered, That a message be sent to the Senate, proposing to go into an election for a solicitor in the second judicial circuit this day at half-past 12 o'clock.

On motion by Mr. Barringer, the following resolutions, heretointroduced by Mr. J. B. Bynum, to refer certain portions of the Governor's message, were taken from the table, read, amended, and adopted.

Resolved, That so much of the Governor's message as relates to common schools, the literary fund and swamp lands be referred to the committee on education.

Resolved, That a message be sent to the Senate proposing to raise a joint select committee of five on the part of the House and three on the part of the Senate, whose duty it shall be to take into consideration that portion of the Governor's message which relates to the deaf and dumb and blind.

Resolved, That a committee of five be appointed to consider the questions of constitutional reform recommended in the Governor's message.

Resolved, That that portion of the message concerning agriculture and the geological survey of the State, be referred to the committee on agriculture.

Resolved, That that portion of the Governor's message relating to internal improvements be referred to the committee on internal improvements.

Resolved, That the reccommendation of the Governor in re-

lation to common public highways be referred to the committee on propositions and grievances.

Resolved, That so much of the Governor's message as relates to the revenue be referred to the committee of finance.

Resolved, That so much of the message as relates to the charter of the North Carolina Railroad Company be referred to the committee on internal improvements.

Resolved, That that portion which relates to the rechartering of the two principal banks of the State, making other judicial circuits, and assigning other duties to the attorney general be referred to the committee on the judiciary.

Resolved, That a message be sent to the Senate proposing the appointment of a committe of five, three on the part of the House and two on the part of the Senate, to take into consideration the recommendation of the Governor in relation to the erection of monuments on the capitol square.

Mr. Bogle, from the committee to superintend the election of engrossing clerk, reported that neither of the candidates had received a majority of the votes given, and that there was no election, which report was concurred in.

On motion by Mr. D. F. Caldwell,

Ordered, That a message be sent to the Senate proposing to go forthwith into an election for engrossing clerk.

Mr. Vance withdrew the name of Mr. Wheat from the nomination, and the Senate was informed thereof by message.

Received from the Senate a message concurring in the proposition to go forthwith into an election for engrossing clerk, and informing that Messrs. McClees and Oldfield form the Senate branch of the committee to superintend the election.

Whereupon Messrs. Shaw and Rose were named on the part of the House.

The House then proceeded to vote as follows:

For Mr. JOYNER:—Messrs. Speaker, Amis, A. Barnes, Barringer, Black, Blow, Bogle, Bryant, Bullock, Chadwick, Cofield, Cotten, Flynt, Gorrell, Harrison, J. F. Hill, Holland, Jarvis, Johnson, Long, Love, Lyon, Martin, McMillan, Mann, McDuffie, Mebane, J. W. Neal, Norment, Patterson, Parks, Phillips, Regan, Selby, Shepherd, Shipp, Sharpe, Sherrill, Singeltary, Simmons, Steele, Sutton, Tomlinson, Walser, Watts, G. M. White, J. H.

White, N. B. Whitfield, L. Whitfield, Wilkins, Winston, B. F. Williams, T. H. Williams, C. W. Williams, Wright, Yancey, Bryson, J. B. Bynum—58.

For Mr. Powell:—Messrs. J. Barnes, Badham, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Cook, Craven, Dargan, Damel, Daughtry, Dortch, Davenport, Dunn, Eure, Furr, Garland, Gentry, G. Green, M. Green, J. H. Headen, A. D. Headen, Horton, Houston, Humphrey, Jenkins, Jones, Jordan, Lancaster, J. M. Leach, H. Leach, March, McKesson, Meares, Mordecai, Myers, S. J. Neal, Oglesby, Outlaw, Patton, Perkins, Rand, Roland, Rose, Russell, Settle, Shaw, Smith, Stubbs, Thornburg, Turner, Vance, Waugh, Whitaker, Whitlock, S. A. Williams, D. Williams, Gilliam—58.

After the Speaker had announced the vote of the House, Mr. Winston asked that Mr. Gilliam be allowed to vote, which was refused.

Mr. Shepherd then moved that the House allow Mr. Gilliam to vote, which was agreed to, and he voted for Mr. Powell.

Received from the Senate a message concurring in the proposition of the House to go into the election of solicitor for the second judicial circuit to-day at half past twelve o'clock, and informing that Messrs. Wood and Wiggins form the Senate branch of the committee to superintend the election.

Messrs. Love and Chadwick were named as a committee on the part of the House.

Mr. Houston nominated George S. Stevenson, of Craven, and Mr. Winston George Green, of Craven, for the appointment, and the Senate was informed thereof by message.

The House then proceeded to vote as follows:

For Mr. Stevenson:—Messrs. Speaker, J. Barnes, A. Barnes, Badham, Black, Blow, Bryson, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Daughtry, Dortch, Dunn, Flynt, Gentry, M. Green, A. D. Headen, J. F. Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Love, Martin, McMillan, McKesson, McDuffie, Meares, Mebane, Mortlecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shepherd, Shaw, Sherrill, Singeltary, Steele, Sutton, Tomlinson, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, Wilkins,

T. H. Williams, S. A. Williams, C. W. Williams, D. Williams, Wright, Yancey, Lyon and Garland—70.

For Mr. Green:—Messrs. Amis, Barringer, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Dargan, Daniel, Davenport, Eure, Furr, Gilliam, Gorrell, Harrison, J. H. Headen, Horton, Johnson, Jones, J. M. Leach, H. Leach, March, Mann, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Simmons, Smith, Stubbs, Thornburg, Turner, Vance, Walser, Winston, B. F. Williams, Shipp and Bogle—45.

Mr. George Green voted for Mr. A. G. Hubbard.

The Speaker announced that the hour had now arrived to go into the election of a United States Senator for the balance of the term commencing from the 4th of March, 1853; that the name of the Hon. David S. Reid is in nomination.

Mr. Shipp added the name of the Hon. Daniel M. Barringer, and the Senate was informed thereof by message.

The House proceeded to vote as follows:

For Hon. David S. Reid:—Messis. Speaker, J. Barnes, A. Barnes, Badham, Black, Blow, Bryson, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, J. F. Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Lyon, Martin, McMillan, McDuffie, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shepherd, Shaw, Sherrill, Singeltary, Sutton, Tomlinson, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, I. Whitfield, Whitaker, Whitlock, T. H. Williams, S. A. Williams, C. W. Williams, D. Williams, Wright and Yancey—64.

For Hon. D. M. Barringer:—Messrs. Amis, Bogle, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Dargan, Daniel, Davenport, Eure, Furr, Gilliam, Gorrell, G. Green, Harrison, J. H. Headen, Horton, Johnson, J. M. Leach, H. Leach, March, Mann, McKesson, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Russell, Shipp, Sharpe, Simmons, Smith, Stubbs, Steele, Thornburg, Turner, Vance, Walser, Wilkins, Winston and B. F. Williams—49.

Mr. Barringer voted for John Kerr.

Mr. Jones voted for H. L. Holmes.

Mr. Love voted for Burton Craige.

Received from the Senate a message concurring in the proposition of the House to go into an election of a United States Senator for the term beginning on the 4th of March, 1855, to-morrow at 11 o'clock.

Also a message informing that they have passed the joint resolution, authorizing the principal clerks of the two Houses to provide curtains for the two halls, and ordered the same to be enrolled.

Also a message proposing to raise a joint select committee of three on the part of the Senate, and five on the part of the House, to be called the "committee on swamp lands," which was concurred in.

Mr. Winston, from the committee to superintend the election of United States Senator, reported that the Hon. David S. Ried had received a majority of the whole number of votes given, and was duly elected; which report was concurred in.

Mr. Shaw, from the committee to superintend the election of engrossing clerk, reported that Mr. Powell had received a majority of the whole number of votes given, and was duly elected; which report was concurred in.

Received from the Senate a message, proposing to raise a joint select committee of three on the part of the Senate, and three on the part of the House, to take into consideration the general subject of public printing, and of the printing and distribution of bills, &c., ordered by either branch of the General Assembly, which was concurred in.

Also a message concurring in the proposition of the House to raise a joint select committee on the lunatic asylum, and that Messrs. Mills, Cherry and Eaton form the Senate branch of said committee.

Mr. Love, from the committee to superintend the election of solicitor in the 2nd judicial circuit, reported that Mr. Stevenson had received a majority of the votes given, and was duly elected; which report was concurred in.

Mr. Waugh submitted the following resolution, which was read and adopted:

Resolved, That the doorkeeper be directed to cause the flag of the United States to be hoisted each day over the capitol during the time this General Assembly may be in session; and further, that he be directed to have lights placed at or near the gates of the public square after night fall.

Received from the Senate a message accompanied by an engrossed resolution, authorizing the principal clerks of the two Houses to purchase clocks for the use of the General Assembly; the same was read the first time and passed, and

On motion by Mr. Dortch, the rules were suspended, and the resolution was read the second and third time, passed, ordered to be enrolled, and the Senate was informed thereof.

Mr. Dargan presented the following resolution:

Resolved, That a message be sent to the Senate, proposing to appoint the Speakers of the two Houses of the General Assembly a joint committee to wait upon his Excellency the Governor, and inform him of his election to the Senate of the United States for the unexpired term, commencing the 4th of March, 1853; and

Mr. Dortch moved to lay the same upon the table, upon which Mr. Cook demanded the yeas and nays, which were ordered, and the motion lost; yeas 15, nays 95.

Those who voted in the affirmative, were,

Messrs. J. Barnes, A. Barnes, Bryant, Dortch, Gentry, M. Green, Holland, Jordan, Myers, Oglesby, Waugh, Whitlock, T. H. Williams, C. W. Williams and Yancey—15.

Those who voted in the negative, were,

Messrs. Barringer, Badham, Bogle, Bryson, Bullock, J. G. Bynum, J. B. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cotten, Cook, Craven, Dargan, Daniel, Daughtry, Davenport, Dunn, Eure, Flynt, Furr, Garland, Gilliam, Gorrell, G. Green, Harrison, J. H. Headen, A. D. Headen, J. F. Hill, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, Martin, McMillan, Mann, McKesson, McDuffie, Meares, Mebane, Mordecai, S. J. Neal, J. W. Neal, Norment, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Shipp, Shaw, Sherrill, Singeltary, Simmons, Smith, Stubbs, Steele, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker,

Wilkins, Winston, B. F. Williams, S. A. Williams, D. Williams and Wright—95.

The question recurring upon the resolution, it was adopted.

On motion by Mr. Bullock, the House adjourned to to-morrow morning 10 o'clock.

SATURDAY, NOVEMBER 25, 1854.

Mr. Steele presented the following resolution, which was read and adopted:

Resolved, That there shall be a standing committee of this House to be called "the committee on corporations," consisting of nine members.

Mr. Roland submitted the following resolution, which was read and adopted:

Resolved, That a message be sent to the Senate, proposing to form a joint committee of five on the part of the House, and three on the part of the Senate, to take into consideration that part of the Governor's message upon the subject of the Cherokee lands and the Western Turnpike Road.

Mr. Patterson presented the following resolution, which was read and adopted:

Resolved, That the committee on propositions and grievances, enquire into the expediency of so altering or amending the existing road laws of the State, as to distribute the burthen of making and keeping up the public roads in the several counties more equitably among the inhabitants thereof, either by taxation or such other mode as the committee may suggest; and that they report by bill or otherwise.

Mr. Horton introduced a bill to provide for the improvement of the road leading from the Wilkes county line, by the way of Meat Camp Creek, to the Tennessee line at or near Welch's store, which was read the first time, passed, and referred to the committee on internal improvements.

On motion by Mr. George Green,

Ordered, That a message be sent to the Senate, proposing to raise a joint select committee of three on the part of the Senate, and five on the part of the House, to be called a committee on the subject of banking.

Mr. Roland introduced a resolution in favor of Jacob T. Aber-

nathy and Jacob Siler of Cherokee county, which was read the first time, passed, and referred to the committee on claims.

Mr. T. H. Williams introduced a bill to increase the pay of jurors in the county of New Hanover, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Dargan submitted a resolution in favor of Jeptha Woodard, which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Steele asked to be excused from serving on the committee on printing, he being on two standing committees.

He was excused by the Speaker, and Mr. Lancaster appointed in his stead.

Mr. Lancaster introduced a bill to pay talis jurors in the county of Alamance; the same was read the first time, passed, and referred to the committee on private bills.

Mr. Houston, a bill to divide the State into nine judicial circuits, and for other purposes, which was read the first time, passed, referred to the committee on the judiciary, and ordered to be printed.

Received from the Senate a message informing that Messrs. Bower and Gilmer form the Senate branch of the committee to superintend the election of United States Senator this day at 11 o'clock, A. M.

The Speaker announced that the hour had now arrived to go into the election of a Senator of the United States for six years from and after the 4th of March, 1855.

The name of Hon. As A Biggs being in nomination, Mr. J. M. Leach nominated the Hon. Geo. E. Badger, and Mr. Patton the Hon. Thomas L. Clingman for that appointment.

Thereupon the Speaker appointed Messrs. Yancey and Stubbs on the part of the House to superintend the election, and the Senate was informed thereof by message.

The House now proceeded to vote as follows:

For Mr. As A Biggs:—Messrs. Speaker, J. Barnes, A. Barnes, Badham, Black, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, J. F. Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Love, Lyon, Martin, McMillan, McDuffie, Meares, Myers, J. W. Neal,

Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shepherd, Shaw, Sherrill, Singeltary, Sutton, Tomlinson, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, T. H. Williams, S. A. Williams, C. W. Williams, D. Williams, Wright and Yancey—64.

For Hon. George E Badger:—Messis. Amis, Barringer, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Dargan, Daniel, Davenport, Eure, Furr, Gilliam, Gorrell, G. Green, Harrison, J. H. Headen, Horton, Johnson, Jones, J. M. Leach, H. Leach, March, Mann, McKesson, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Roland, Russell, Shipp, Sharpe, Simmons, Smith, Stubbs, Steele, Thornburg, Turner, Vance, Walser, Wilkins, Winston and B. F. Williams—52.

Mr. Singeltary submitted the following resolution, and the same was read and adopted:

Resolved, That the rules of parliamentary practice contained in Jefferson's Manual, shall govern this House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House, and the joint rules of the Senate and House of Commons.

Mr. Stubbs, from the committee to superintend the election of United States Senator, reported that the Hon. Asa Biggs had received a majority of the whole number of votes given, and was duly elected, which report was concurred in.

Mr. Carmichael presented the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of abolishing jury trials in the county courts, and that they report to the House by bill or otherwise.

Received from the Senate a message, accompanied by an engrossed resolution, appointing H. S. Smith engrossing clerk, which was read and adopted by the House, and the Senate was informed thereof by message.

Received from the Senate a message informing that the Senate has adopted the joint rules of order transmitted for their concurrence, with the following amendment, to wit:

"That the committee on the Revised Statutes consist of six members from each House, instead of eight members on the part

of the House and five members on the part of the Senate," which amendment was concurred in.

On motion by Mr. Patterson, the resolution heretofore submitted by Mr. Dortch, proposing to print the rules of the House, the joint rules, constitution, &c., was taken from the table; the same was adopted, and the Senate informed thereof.

On motion by Mr. Steele,

Ordered, That a message be sent to the Senate proposing to go into an election for a solicitor in the fourth judicial circuit on Wednesday next, at 11 o'clock, A. M.

Received from the Senate a message proposing to raise a joint select committee, consisting of five on the part of the House and three on the part of the Senate, on military affairs, which was concurred in.

Also a message concurring in the several propositions of the House to raise a joint select committee on that portion of the Governor's message relating to the deaf, dumb and blind, and informing that Messrs. Sanders, Tayloe and Speight form the Senate branch of said committee; and on that portion of said message relating to the erection of monuments in the capitol square, Messrs. Coleman and Ashe form the Senate branch of that committee.

Also a message informing that Messrs. Brogden, McClees and Fennell form the Senate branch of the joint committee on the library; that Messrs. Clark, Haughton and Cunningham form the Senate branch of the joint committee on public printing; that Messrs. Cherry, Biggs and Jones form the Senate branch of the committee on swamp lands.

The Speaker announced the following committees:

On swamp lands:—Messrs. Jordan, Stubbs, Selby, Gilliam and T. H. Williams.

On printing:—Messrs. Mann, Lancaster and McMillan.

On the lunatic asylum:—Messrs. Dortch, Barringer, Blow, Amis and Shepherd.

And the Senate was informed thereof by message.

Received from the Senate a message concurring in the proposition of the House to appoint the Speakers of the two Houses a joint committee to wait upon his Excellency, David S. Reid, and inform him of his election to the Senate of the United States.

On motion by Mr. Dortch, the House adjourned to Monday morning, 10 o'clock.

MONDAY, November 27, 1854.

On motion by Mr. Dargan, Mr. A. H. Caldwell, member elect from the county of Rowan, was duly qualified and took his seat.

Mr. Phillips presented a memorial in favor of John Y. Adams and others, and on his motion the same was referred to the committee on claims.

Mr. Bogle presented a memorial from citizens of the county of Alexander praying the passage of a law prohibiting the liquor traffic; the same was referred to the committee on propositions and grievances

Mr. Humphrey presented the report and resolution of the Salisbury internal improvement convention, the same was referred to the committee on internal improvements and ordered to be printed.

Mr. Steele moved to reconsider the resolution passed on Saturday, adopting Jefferson's Manual as a parliamentary rule.

Mr. Singeltary moved to lay the motion upon the table, and demanded the yeas and nays, which were taken, and the motion to lay on the table was lost; yeas 31, nays 79.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Badham, Blow, J. B. Bynum, Cotten, Dunn, Flynt, Gentry, M. Green, J. F. Hill, Jarvis, Long, Mc-Millan, J. W. Neal, Norment, Oglesby, Parks, Regan, Settle, Sherrill, Singeltary, Sutton, Waugh, Watts, N. B. Whitfield, L. Whitfield, Whitaker, C. W. Williams, Wright, Yancey and D. Williams—31.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Black, Bogle, Bryson, Bryant, Bullock, D. F. Caldwell, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Dargan, Daniel, Daughtry, Davenport, Eure, Furr, Garland, Gilliam, Gorrell, G. Green, Harrison, J. H. Headen, A. D. Headen, Holland, Horton, Houston, Humphrey, Johnson, A. J. Jones, Jordan, Lancaster, J. M. Leach, H. Leach, Love, Lyon, March, Martin, McKesson, McDuffie, Myers, Meares, Mebane, Mordecai, S. J. Neal, Outlaw,

Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Selby, Shepherd, Shipp, Shaw, Sharpe, Simmons, Smith, Stubbs, Steele, Thornburg, Vance, Walser, G. M. White, J. H. White, Whitlock, Wilkins, Winston, B. F. Williams, T. H. Williams, and S. A. Williams—79.

Mr. Singeltary asked leave to withdraw the original resolution, which was granted.

Mr. S. A. Williams moved to reconsider the resolution adopted on Saturday last, raising a joint select committee on the subject of banking, which motion was laid upon the table.

The Chair announced the following committees:

On the Revised Statutes:—Messrs. Shepherd, Dargan, Winston, Amis and Dortch.

On military affairs:—Messrs. Dargan, Humphrey, Holland, Bryson and Wright.

On monuments: Messrs. J. F. Hill, Johnson, and Regan.

On deaf dumb and blind:—Messrs. Jordan, Barringer, S. A. Williams, Phillips and Mebane.

On constitutional reform:—Messrs. J. B. Bynum, A. H. Caldwell, Lancaster, Turner and Houston.

On corporations:—Messrs. Steele, Singeltary, Outlaw, A. H. Caldwell, Patterson, Norment, Whitlock, Phillips and Whitaker.

Mr. Steele introduced a bill to amend the constitution of North Carolina; the same was read the first time and passed by the constitutional majority of three-fifths, referred to the committee on constitutional reform and ordered to be printed.

Mr. Mann introduced a bill to repeal the 18th section and part of the 116th section of the act, entitled an act for the improvement of Elizabeth City, which was read the first time and passed; and,

On motion by Mr. Mann, the rules were suspended, and the bill was read the second and third time, passed, and ordered to be engrossed.

Mr. McMillan, a bill to incorporate the Bank of Wilmington; the same was read the first time, passed, laid upon the table, and ordered to be printed.

Mr J. M. Leach, a bill to ascertain the will of the freemen of North Carolina on calling a convention, which was read the first time, passed, referred to the committee on constitutional reform, and ordered to be printed.

Mr. Shepherd, a bill to give a right of action in certain cases to personal representatives, where life is lost by carelessness or negligence in the management of railroads in this State, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Rose, a bill to provide for paying talis jurors in the county of Rowan, which was read the first time, passed, and laid upon the table.

Mr. George Green introduced a bill to amend an act, entitled an act to incorporate the Alantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, which was read the first time, passed, referred to the committee on internal improvements, and ordered to be printed.

Received from the Senate a message informing that the joint select committee on the part of the Senate, on the revisal of the Statutes, are, Messrs. Biggs, Graham, Eaton, Ashe, Fisher and Haughton; that Mr. Biggs of the joint committee on finance has been excused, and Mr. Boyd appointed in his place.

Also a message proposing to raise a joint select committee, consisting of two on the part of each House, to make the necessary arrangements for counting the votes for Governor polled at the election in August last, which was concurred in, and the Chair appointed Messrs, T. H. Williams and Gorrell said committee on the part of the House, and the Senate was informed thereof by message.

Also a message concurring in the proposition to go into an election of solicitor for the 4th judicial circuit, on Wednesday next at 11 o'clock, A. M.; and informing that Messrs. Wilder and Freeman form the Senate branch of the committee to superinted said election; that Messrs. Hoke, Mitchell and Brogden form the Senate branch of the joint select committee on military affairs.

And that the Senate concurs in the proposition to print one copy of the pamphlet rules of order, constitutions, &c., for every member of the General Assembly, and for each of the clerks.

The Chair appointed Messrs. Norment and Holland a committee on the part of the House to superintend the election of solicitor for the 4th judicial circuit on Wednesday next, and the Senate was informed thereof by message.

On motion by Mr. Amis, the House adjourned to to-morrow morning 10 o'clock.

TUESDAY, November 28, 1854:

Mr. Settle, from the committee on claims, to whom was referred the engrossed resolution in favor of Oliver H. Perry, reported the same back to the House, and recommended its passage; the same was read the second time and passed; and

On motion by Mr. Phillips, the rules were suspended, and the resolution read the third time, passed, and ordered to be enrolled.

Mr. Settle introduced the following resolutions:

- 1. Resolved, That the act passed at the last session of Congress, providing territorial governments for Nebraska and Kansas, embraces the true principle in relation to the power of the federal government on the subject of slavery in the Territories.
- 2. Resolved, That the principle asserted in said act on the question of slavery, is a subject of vital importance, upon which all southern men ought to unite.
- 3. Resolved, That the attempt on the part of some of the States of the north to interfere with slavery in the south, is a flagrant violation of the constitution of the United States, and fraught with incalculable mischief to the people of this State.
 - 4. Resolved, That the preservation of the rights of this State, in the peaceful enjoyment of the domestic institution of slavery, is a paramount duty.
 - 5. Resolved, That much praise is due to the patriotic men who have boldly maintained the compromises of the constitution in the midst of the infuriated fanaticism of the north.
 - 6. Resolved, That this State is determined to resist any further encroachments upon her constitutional rights.
 - 7. Resolved, That in the event the federal government repeal or impair the efficiency of the provisions of the fugitive slave law, or refuse to enforce its execution in good faith, that it will amount to a virtual dissolution of the Union, and that it will become the duty of this State to take such measures as may be required for her safety and security.
 - 8. Resolved, That if either of the contingencies contemplated in the foregoing resolution should arise during the recess of the General Asssembly, that the Governor be requested to convene

that body, to the end that the rights of the State may be maintained.

9. Resolved, That a copy of these resolutions be transmitted by the executive to each of the Senators and Representatives in Congress from this State, to be laid before their respective Houses, and also a copy to the Governors of the respective States of the Union.

Which resolutions were read, and on motion of Mr. Settle, ordered to lie upon the table and be printed.

Mr. J. M. Leach moved that a message be sent to the Senate proposing to raise a joint select committee of seven on the part of the House and five on the part of the Senate, to be called the committee on federal relations, which

Mr. Settle moved to lay upon the table.

The latter motion was rejected, and Mr. Leach withdrew the original motion.

Mr. J. Barnes presented the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of passing a law respecting the counterfeiting of American silver coin, and that they report by bill or otherwise.

Which was read and adopted.

Mr. Black introduced a bill to give to the county and superior courts of Mecklenburg jurisdiction over the sale of real estate for division amongst joint tenants and tenants in common, which was read the first time, passed, and referred to the committee on the judiciary.

Also a bill to provide for paying talis jurors in the county of Mecklenburg, which was read the first time, passed and referred to the committee on the judiciary.

Mr. McKesson introduced a bill to incorporate the Western Railroad Company, which was read the first time and passed, and on his motion, referred to the committee on internal improvements and ordered to be printed.

Mr. Carmichael, a bill to distribute the common school fund among the several counties of the State in the ratio of their white population, which was read the first time and passed, and on his motion, referred to the committee on education.

Received from the Senate a message proposing to go into the

election of comptroller forthwith, and Mr. S. A. Williams moved to lay the same upon the table, which motion was rejected, and the House then concurred in the proposition of the Senate; and thereupon the Chair appointed Messrs. J. F. Hill and Cotten a committee on the part of the House to superintend the election, and the Senate was informed thereof by message.

Mr. Waugh nominated George W. Brooks for said office, and the House then voted as follows:

For Mr. Brooks: -Messrs. Speaker, Amis, J. Barnes, Barringer, Badham, Black, Blow, Bogle, Bryson, Bryant, Bullock, J. G. Bynum, D. F. Caldwell, A. H. Caldwell, Cansler, Carmichael, Cofield, Cotten, Cook, Craven, Dargan, Daughtry, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, M. Green, J. H. Headen, A. D. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Johnson, Jones, Jordan, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, March, Martin, McMillan, Mann, McKesson, McDuffie, Meares, Mebane, Mordecai, Myers, S. J. Neal, J. W. Neal, Norment, Oglesby, Outlaw, Patterson, Parks, Perkins, Phillips, Rand, Regan, Rose, Russell, Settle, Shepherd, Shaw, Sharpe, Sherrill, Singeltary, Simmons, Stubbs, Steele, Sutton, Thornburg, Vance, Walser, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, Wilkins, Winston, T. H. Williams, S. A. Williams, C. W. Williams, D. Williams, Wright, Yancey, Chadwick, Shipp and Selby-104.

Messrs. Patton and Roland, voted for Mr. AxLEY-2.

Mr. B, F. Williams voted for Mr. C. H. Brogden.

Mr. Steele introduced a bill to incorporate the Wilmington and Charlotte Railroad Company; which was read the first time and passed, and referred to the committee on internal improvements, and ordered to be printed.

Mr. J. H. Headen, a bill to incorporate the Chatham Railroad Company; which was read the first time and passed, and referred to the committee on internal improvements, and ordered to be printed.

Mr. Watts, a bill to regulate the floating of timber on the Roanoke river; which was read the first time and passed.

On motion by Mr. Gilliam, the rules were suspended, and the

same was read the second and third times, passed, and ordered to be engrossed.

Mr. Bryson, a bill to protect live stock from malicious destruction; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Myers, a bill to emancipate Jerry, a slave; which was read the first time and passed, and on motion by Mr. Steele, referred to the committee on private bills.

Mr. Hill, from the committee to superintend the election of comptroller, reported that Mr. Geo. W. Brooks had received a majority of the votes given, and was duly elected; which report was concurred in.

Received from the Senate a message, transmitting the report of Messrs. Moore and Biggs, commissioners, to revise the statutes, with documents, &c., proposing to refer the same to the joint committee on the Revised Statutes, and to place under their direction the distribution of the printed copies; which was concurred in.

Also a message, concurring in the proposition to raise a joint select committee of five on the part of the House, and three on the part of the Senate, to take into consideration the subjects of Cherokee Lands and the Western Turnpike Road, and that Messrs. Thomas, of Jackson, Rayner and Bower, form the Senate branch of said committee.

That Messrs. Clark, Wiggins and Martin are the Senate branch of the committee on enrolled bills.

The Speaker appointed Messrs. Roland, Patton, Love, Patterson and Yancey, the committee on the subject of Cherokee Lands, and the Western Turnpike Road, on the part of the House.

Also a message, proposing to raise a joint select committee of five on the part of each House, to be called the committee on the subject of banking; which was concurred in.

Mr. Whitlock introduced a bill to aid in opening and improving the road across the Blue Ridge, at Fisher's Gap; which was read the first time and passed, and referred to the committee on propositions and grievances.

The Speaker laid before the House a communication from his Excellency the Governor, transmitting the report of the president

and directors of the Cape Fear and Deep River Navigation Company.

Also the resignations of justices of the peace, received at the executive office since the last session of the General Assembly.

On motion by Mr. Barringer, the same were transmitted to the Senate, with a proposition to print the report and accompanying documents of the Cape Fear and Deep River Navigation Company.

On motion by Mr. Williams, of Warren, the House adjourned to to-morrow morning 10 o'clock.

WEDNESDAY, November 29, 1854.

Mr. Houston presented a petition accompanied by a memorial to emancipate Abram a slave, which was read, and referred to the committee on private bills.

Mr. B. F. Williams presented a memorial from sundry citizens of Green county, praying the passage of a law to prohibit the traffic in intoxicating liquors.

On motion by Mr. S. A. Williams, the same was read.

Mr. Singeltary moved that it be received and laid upon the table. Upon which Mr. B. F. Williams demanded the yeas and nays; they were ordered and taken, and the motion disagreed to; yeas 36, nays 75.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Badham, Blow, Cotten, Dortch, Flynt, Furr, Gentry, Gilliam, M. Green, J. F. Hill, Holland, Horton, Humphrey, Jarvis, Lancaster, Lyon, Martin, J. W. Neal, Norment, Oglesby, Regan, Rose, Selby, Settle, Singeltary, Waugh, Watts, J. H. White, L. Whitfield, Whitaker, Whitlock, S. A. Williams, C. W. Williams, D. Williams and Wright—36.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Black, Bogle, Bryson, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Dargan, Daniel, Daughtry, Davenport, Dunn, Eure, Garland, Gorrell, G. Green, Harrison, J. H. Headen, A. D. Headen, Houston, Jenkins, Johnson, Jones, Jordan, J. M. Leach, Long, Love, March, McMillan, Mann, McKesson, McDuffie, Meares, Mebane, Mordecai, Myers, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins,

Phillips, Rand, Roland, Russell, Shepherd, Shipp, Shaw, Sharpe, Sherrill, Simmons, Smith, Stubbs, Steele, Sutton, Thornburg, Vance, Walser, G. M. White, N. B. Whitfield, Wilkins, Winston, B. F. Williams, T. H. Williams and Yancey—75.

So the House refused to lay upon the table, and

On motion by Mr. B. F. Williams, the memorial was referred to the committee on propositions and grievances.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred the resolution in favor of Jeptha Woodard, reported favorably thereon.

The resolution was read the second time and passed.

On motion by Mr. Dargan, the rules were suspended, and the same was read the third time, passed, and ordered to be engrossed.

Mr. Waugh, from the same committee, to whom was referred a memorial from sundry citizens of Alexander county, praying the passage of a law prohibiting the traffic in intoxicating liquors, reported the same back to the House, and asked to be discharged from its further consideration.

Mr. Martin moved that the report and memorial be laid upon the table for the present, which was carried; yeas 72, nays 41.

The yeas and nays demanded by Mr. B. F. Williams.

Those who voted in the affirmative, were,

Messrs, Amis, J. Barnes, A. Barnes, Barringer, Badham, Blow, Bogle, Bryson, Bryant, Bullock, D. F. Caldwell, A. H. Caldwell, Cansler, Carmichael, Craven, Dargan, Daniel, Davenport, Furr, Garland, Gentry, Gilliam, Gorrell, J. H. Headen, J. F. Hill, Holland, Horton, Houston, Humphrey, Jarvis, Lancaster, H. Leach, Long, Love, Lyon, Martin, McKesson, Mebane, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Patterson, Patton, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shaw, Sherrill, Singeltary, Steele, Sutton, Thornburg, Tomlinson, Walser, Waugh, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Wilkins, S. A. Williams, D. Williams, Wright and Yancey—72.

Those who voted in the negative, were,

Messrs. Black, J. B. Bynum, Chadwick, Cofield, Cotten, Cook, Daughtry, Dortch, Dunn, Eure, Flynt, G. Green, M. Green, Harrison, A. D. Headen, Jenkins, Johnson, Jones, Jordan, March, McMillan, Mann, McDuffie, Meares, S. J. Neal,

Outlaw, Parks, Perkins, Shepherd, Shipp, Sharpe, Simmons, Smith, Stubbs, Vance, Watts, Whitlock, Winston, B. F. Williams, T. H. Williams and C. W. Williams—41.

Received from the Senate a message proposing to go into the election of judge for the fifth judicial circuit this day at 12 o'clock, M., which was concurred in.

Also a message informing that Messrs. Wilder and Freeman form the Senate branch of the committee to superintend the election of solicitor for the fourth judicial circuit.

The Speaker announced that the hour had now arrived to go into an election for a solicitor for the fourth judicial circuit, and named Messrs. Norment and Holland a committee on the part of the House to superintend the election.

Mr. Dortch nominated Mr. J. W. Lancaster; Mr. Settle, Mr. Thomas Ruffin; and Mr. Roland, Mr. A. J Stedman, and the Senate was informed thereof by message.

The House then voted as follows:

For Mr. Lancaster:—Messrs. Amis, J. Barnes, Bryson, Bryant, D. F. Caldwell, Cansler, Carmichael, Chadwick, Dortch, Dunn, Jenkins, Jordan, H. Leach, Lyon, Martin, Mebane, Norment, Oglesby, Regan, Rose, Shaw, Sherrill, Simmons, Sutton, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, B. F. Williams and D. Williams—31.

For Mr. Ruffin:—Messis. Speaker, Barringer, Badham, Blow, Bogle, Bullock, J. B. Bynum, A. H. Caldwell, Cotten, Dargan, Gorrell, G. Green, M. Green, Humphrey, Johnson, Long, McMillan, McKesson, Meares, Myers, J. W. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Settle, Shepherd, Shipp, Singeltary, Smith, Steele, Watts, Wilkins, Winston, T. H. Williams, S. A. Williams and McDuffie—38.

For Mr. Stedman:—Messrs. Black, Cofield, Cook, Craven, Daniel, Daughtry, Davenport, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Harrison, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Horton, Houston, Jarvis, Jones, J. M. Leach, Love, March, Mann, Mordecai, S. J. Neal, Parks, Patton, Roland, Russell, Selby, Sharpe, Stubbs, Thornburg, Vance, Walser, Waugh, Whitlock, C. W. Williams, Wright and Yancey—43.

Received from the Senate a message concurring in the proposition to print the communication from his Excellency, the Gov-

ernor, and the accompanying report of the Cape Fear and Deep River Navigation Company; and informing that Messrs. Wilder, Cherry, Gilmer and McDowell form the Senate branch of the committee on banking; that Messrs. Bower, Boyd, Wilder, Walker, Gilmer, Clark, Rayner and Cherry form the Senate branch of the committee on finance; that Messrs. Bower and McClees form the Senate branch of the committee to make arrangements to compare the votes for Governor polled at the last election.

Mr. Norment, from the committee to superintend the election of solicitor, reported that neither of the gentlemen in nomination had received a majority of the votes given, and consequently there was no election, which report was concurred in.

Received from the Senate a message proposing to vote forthwith for a solicitor of the fourth judicial circuit, which was concurred in.

The Speaker named Messrs. Simmons and March a committee on the part of the House to superintend the election, and the Senate was informed thereof by message.

The House then voted as follows:

For Mr. Lancaster:—Messrs. Amis, J. Barnes, A. Barnes, Bogle, Bryson, Bryant, D. F. Caldwell, Carmichael, Chadwick, Cofield, Daughtry, Dortch, Dunn, Jenkins, Jordan, Martin, Mebane, Norment, Oglesby, Regan, Shaw, Sharpe, Simmons, Sutton, Tomlinson, N. B. Whitfield, L. Whitfield, Whitaker, B. F. Williams and D. Williams—30.

For Mr. Ruffin:—Messrs. Speaker, Barringer, Badham, Bullock, A. H. Caldwell, Cansler, Cotten, Dargan, Gorrell, G. Green, M. Green, Jarvis, Johnson, Long, McMillan, McKesson, McDuffie, Meares, Myers, J. W. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Selby, Settle, Shepherd, Shipp, Sherrill, Singeltary, Smith, Steele, Watts, J. H. White, Wilkins, Winston, T. H. Williams, S. A. Williams, C. W. Williams, Blow, J. G. Bynum, Humphrey and Lyon—44.

For Mr. Stedman: —Messis. J. B. Bynum, Cook, Craven, Daniel, Davenport, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Harrison, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Horton, Houston, Jones, J. M. Leach, H. Leach, Love, March, Mann, Mordecai, S. J. Neal, Parks, Patton, Rose, Russell,

Stubbs, Thornburg, Vance, Walser, Waugh, G. M. White, Whitlock, Wright, Yancey, Black and Roland—41.

Received from the Senate a message informing that the hour had now arrived at which, under the joint order of the two Houses, to go into the election of judge for the fifth judicial circuit, and that Messrs. McDowell and Thomas of Davidson form the Senate branch of the committee to superintend the election.

The Speaker named Messrs. J. M. Leach and Dunn a committee on the part of the House, and the Senate was informed thereof by message, and that the name of Samuel J Person was in nomination.

The House then voted as follows:

For Mr. Samuel J. Person: - Messrs. Speaker, Amis, J. Barnes, A. Barnes, Barringer, Badham, Black, Blow, Bogle, Bryson, Bryant, Bullock, J. G. Bynum, J. B. Bynum, Cansler, Carmichael, Cofield, Cotten, Cook, Craven, Dargan, Daughtry, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jordan, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, March, Martin, McMillan, Mann, McKesson, McDuffie, Meares, Mebane, Mordecai, Myers, S. J. Neal, J. W. Neal, Norment, Oglesby, Patterson, Patton, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Shipp, Shaw, Sherrill, Singeltary, Simmons, Smith, Steele, Sutton, Thornburg, Tomlinson, Vance, Walser, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, Wilkins, Winston, B. F. Williams, T. H. Williams, S. A. Williams, C. W. Williams, D. Williams, Wright and Yancey-103.

For Mr. W. A. Wright:—Messrs. D. F. Caldwell, A. H. Caldwell, Chadwick, George Green and Outlaw—5.

For Mr. Thomas D. Meares:—Messrs. Daniel, Gilliam and Stubbs—3.

For Mr. Outlaw: -Mr. Davenport-1.

For Mr. George Davis :-- Mr. Jones-1.

For Mr. HAYWOOD GUION:-Mr. Sharpe-1.

On motion by Mr. Barringer,

Ordered, That when this House adjourn it will adjourn to Friday morning, 10 o'clock.

Mr. March, from the committee to superintend the election of solicitor for the fourth judicial circuit, reported that neither of the gentlemen in nomination had received a majority of the votes given, and consequently there was no election, which report was concurred in.

The House now adjourned to Friday morning, 10 o'clock.

FRIDAY, DECEMBER 1, 1854.

Mr. Cansler asked to be excused from serving on the committee on banking, being on two other standing committees; he was excused, and Mr. Singeltary substituted.

Mr. Shepherd presented memorials praying for the emancipation of slave Jane Thomas; also slaves Dolly and Caroline, Isham, Peter and Louis. On his motion, the reading of the memorials was dispensed with, and severally referred to the committee on private bills.

Mr. Yancey presented a memorial from sundry citizens of Madison county, praying for the passage of a law prohibiting the traffic in intoxicating liquors.

Mr. T. H. Williams, a like memorial from citizens of New-Hanover county; which were severally referred to the committee on propositions and grievances.

Mr. D. F. Caldwell presented a memorial from the Summerfield Guards, a volunteer company in Guilford county, praying to be exempt from militia muster; which was referred to the committee on Military affairs.

Mr. Badham presented the petition of Sarah Avera, (widow,) praying for a pension allowance; which was referred to the committee on claims.

On motion by Mr. Settle,

Ordered, That a message be sent to the Senate, proposing to go forthwith into an election for a solicitor for the fourth judicial circuit.

Received from the Senate a message, concurring in the proposition to go forthwith into an election for a solicitor in the fourth judicial circuit, and informing that Messrs. Freeman and Wilder

form the Senate branch of the committee to superintend the election.

The Speaker named Messrs. Eure and J. W. Neal a committee on the part of the House, and the Senate was informed thereof by message.

The House then voted as follows:

For Mr. Lancaster:—Messrs. J. Barnes, A. Barnes, Bryson, Bryant, Cansler, Carmichael, Chadwick, Cofield, Daughtry, Dortch, Dunn, Harrison, Holland, Houston, Jarvis, Jenkins, Jordan, Lyon, Martin, Mebane, Norment, Oglesby, Regan, Rose, Shaw, Sharpe, Sherrill, Sutton, Tomlinson, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, B. F. Williams, T. H. Wılliams and D. F. Caldwell—36.

For Mr. Ruffin:—Messrs. Speaker, Barringer, Badham, Blow, Bullock, J. G. Bynum, J. B. Bynum, A. H. Caldwell, Cotten, Dargan, Gorrell, M. Green, Humphrey, Johnson, Jones, Long, McKesson, McDuffie, Meares, Myers, J. W. Neal, Outlaw, Patterson, Perkins, Rand, Settle, Shepherd, Shipp, Singeltary, Smith, Steele, Turner, Watts, Whitaker, Whitlock, Wilkins, Winston and C. W. Williams—38.

For Mr. Stedman:—Messrs. Black, Bogle, Cook, Craven, Daniel, Davenport, Flynt, Furr, Garland, Gentry, Gilliam, J. H. Headen, A. D. Headen, Hill, J. M. Leach, H. Leach, Love, March, Mann, Mordecai, S. J. Neal, Parks, Patton, Roland, Russell, Selby, Simmons, Stubbs, Thornburg, Vance, Walser, Waugh, Wright, Yancey, S. A. Williams, Horton and Eure—37.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill to protect live stock from malicious destruction, reported the same back to the House, and recommended its passage.

The bill was read the second time, and Mr. Roland moved to amend by inserting Cherokee county, and Mr. Mann, by inserting Pasquotank county; which amendments were adopted, and the bill, as amended, passed its second reading.

Received from the Senate a message, informing that Mr. Cunningham is appointed on the part of the Senate to superintend the counting of the votes for Governor, and the Speaker named Messrs. T. H. Williams and Steele a committee on the part of

the House to act with him, and the Senate was informed by message.

Mr. Whitaker introduced a resolution in favor of W. H. High, sheriff of Wake county; which was read the first time and passed, and referred to the committee on claims.

Mr. Roland presented a resolution in favor of Jno. Paine, of the county of Cherokee; which was read the first time and passed, and, on his motion, laid upon the table.

Mr. J. H. Headen presented the following resolution; which was read and adopted:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of abolishing imprisonment for debt in North Carolina, or of so amending the laws on this subject as more effectually to prevent the imprisonment of honest debtors, and report by bill or otherwise.

Mr. Jarvis introduced a bill to protect wild fowl in the waters of Currituck county, which was read the first time and passed.

On motion by Mr. Jordan, the rules were suspended, and the same was read the second and third time, passed, and ordered to be engrossed.

Mr. J. W. Neal, from the committee to superintend the election of solicitor for the fourth judicial circuit, reported that neither one of the candidates had received a majority of the votes given, and consequently there was no election; which reported was concurred in.

Mr. Meares introduced a bill to incorporate the Cape Fear and Wacamaw Canal and Lumber Company, which was read the first time, passed, and referred to the committee on internal improvement.

Received from the Senate a message proposing to go forthwith into an election of solicitor for the fourth judicial circuit, which was concurred in, and the Speaker named Messrs. Waugh and Meares a committee on the part of the House to superintend the election, and the Senate was informed thereof by message.

Received from the Senate a message informing that Messrs. Person and Davis form the Senate branch of the committee to superintend said election; and that the Senate would proceed to vote upon the return of the messenger.

The House then voted as follows:

For Mr. Lancaster:—Messrs. J. Barnes, A. Barnes, Bryson, Bryant, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Daughtry, Dortch, Dunn, Houston, Jarvis, Jenkins, Jordan, Lyon, Martin, Mebane, Norment, Oglesby, Regan, Shipp, Shaw, Sharpe, Sherrill, Sutton, Tomlinson, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, B. F. Williams and T. H. Williams—34.

For Mr. Ruffin:—Messrs. Speaker, Barringer, Badham, Blow, Bullock, J. G. Bynum, J. B. Bynum, A. H. Caldwell, Cotten, Dargan, Gentry, Gorrell, M. Green, Humphrey, Johnson, Long, McKesson, McDuffie, Meares, Myers, J. W. Neal, Outlaw, Patterson, Perkins, Rand, Settle, Shepherd, Singeltary, Smith, Steele, Turner, Watts, Whitaker, Whitlock, Wilkins and Winston—36.

For Mr. STEDMAN: — Messrs. Black, Bogle, Cook, Craven, Daniel, Davenport, Eure, Flynt, Furr, Garland, Gilliam, G. Green, Harrison, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Horton, Jones, J. M. Leach, H. Leach, Love, March, Mann, Mordecai, S. J. Neal, Parks, Patton, Roland, Russell, Selby, Simmons, Stubbs, Thornburg, Vance, Walser, Waugh, S. A. Williams, C. W. Williams, Wright and Yancey—41.

Mr. T. H. Williams introduced a bill to alter the time of holding the superior courts in the counties of Sampson and Cumberland, which was read the first time, passed, and referred to the committee on private bills.

On motion by Mr. T. H. Williams, the bill heretofore introduced to incorporate the Bank of Wilmington, was taken up, and referred to the committee on banking.

Mr. L. Whitfield introduced a bill to amend the Statute in relation to attorneys at law, which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Dargan presented the following resolution, which was read and adopted:

Be it resolved by the General Assembly of the State of North Carolina, That the committee on the judiciary be instructed to report a bill providing for the distribution of the assets of insolvent estates pro-rata amongst all the creditors of said estates.

Mr. Humphrey introduced a bill to regulate the pay of jurors and witnesses in the county of Onslow, which was read the first

time, passed, and referred to the committee on private bills.

Mr. Oglesby, a bill to pay talis jurors in the county of Carteret, which was read the first time, passed, and referred to the committee on private bills.

Mr. George Green, a bill to incorporate Union Bank in the town of Newbern, which was read the first time and passed; and on his motion, referred to the committee on banking, and ordered to be printed.

Mr. A. H. Caldwell, a bill to incorporate the Bank of Salisbury, which was read the first time and passed; and on his motion, referred to the committee on banking, and ordered to be printed.

Mr. Patterson, a bill to extend the time for perfecting titles to lands heretofore entered, which was read the first time and passed.

Mr. Meares, from the committee to superintend the election of solicitor for the fourth judicial circuit, reported that neither of the gentlemen in nomination had received a majority of the votes given, and consequently there was no election.

Which report was concurred in.

Received from the Senate a message proposing to vote forthwith for a solicitor for the fourth judicial circuit.

Mr. Singeltary moved to lay the message upon the table, which was disagreed to.

The message was then concurred in, and the Speaker named Messrs. Whitaker and Perkins a committee on the part of the House to superintend the election, and the Senate was informed thereof by message.

Received from the Senate a message informing that Messrs. Person and Davis form the Senate branch of the committee to superintend said election, and that the Senate would proceed to vote upon the return of the messenger.

The House then voted as follows:

For Mr. Lancaster:—Messrs. J. Barnes, Bryson, Bryant, Cansler, Chadwick, Cofield, Dortch, Jarvis, Jenkins, Jordan, Lyon, Martin, Mebane, Oglesby, Shaw, Sherrill, Sutton, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, B. F. Williams and T. H. Wılliams—23.

For Mr. Ruffin:—Messrs. Speaker, Barringer, Badham, Blow, Bullock, J. B. Bynum, A. H. Caldwell, Cotten, Dargan, Daughtry, Dunn, Gentry, Gorrell, G. Green, M. Green, Hum-

phrey, Long, Meares, Myers, J. W. Neal, Outlaw, Patterson, Perkins, Rand, Regan, Settle, Shepherd, Smith, Steele, Turner, Watts, Whitaker, Whitlock, Winston and Wilkins—35.

For Mr. Stedman:—Messis. A. Barnes, Black, Bogle, Cook, Craven, Daniel, Davenport, Eure, Flynt, Furr, Garland, Gilliam, Harrison, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Houston, Johnson, Jones, J. M. Leach, H. Leach, Love, March, Mann, Mordecai, S. J. Neal, Norment, Parks, Patton, Roland, Russell, Selby, Singeltary, Simmons, Stubbs, Thornburg, Tomlinson, Vance, Waugh, Wright, S. A. Williams and Yancey—43.

For Mr. RALPH GORRELL:—Messrs. J. G. Bynum, David F.

Caldwell, Horton and Sharpe-4.

For Mr. Josiah Turner, Jr.:—Messrs. Carmichael and Shipp—2.

Mr. McKesson voted for Mr. J. G. Bynum.

The House now adjourned to to-morrow morning 10 o'clock.

SATURDAY, DECEMBER 2, 1854:

Mr. Shipp presented a memorial from sundry citizens of Rutherford county, praying a repeal of the act of 1852, chapter 18, concerning the superintendent of common schools, which was referred to the committee on education.

Mr. J. G. Bynum presented a memorial from sundry citizens of Rutherford county, praying the passage of a law prohibiting the sale of intoxicating liquors.

Mr. Love, a like memorial from citizens of Haywood county, which were severally referred to the committee on propositions and grievances.

Mr. Horton presented the proceedings of an internal improvement meeting of the citizens of Watauga county, held at Boone, which was referred to the committee on internal improvements.

Mr. T. H. Williams presented a report from the president of the Bank of Cape Fear, which on his motion was ordered to lie upon the table and be printed.

Mr. J. M. Leach from the committee to superintend the election of judge for the fifth judicial circuit, reported that Samuel J. Person had received a majority of the whole number of votes given and was duly elected, which report was concurred in.

Mr. Steele, from the select committee to whom was referred

the bill to provide adequate compensation to certain officers of this State, reported the same back to the House and recommended its passage.

Mr. Smith moved that the bill and report be recommitted, with instructions to ascertain what amount the several officers of State have received, in addition to their State salaries, during the present year.

Mr. Barringer moved to lay the whole matter upon the table, which was carried.

Received from the Senate a message transmitting an engrossed resolution in favor of John Green.

Also a resolution to furnish the office of the clerk of the Senate, which were severally read the first time and passed.

Mr. T. H. Williams presented a resolution in favor of Henry Nutt, of Wilmington, which was read the first time, passed, and referred to the committee on claims.

Mr. J. G. Bynum submitted a resolution concerning the supreme and superior courts, which was read, adopted, and referred to the committee on the judiciary.

Mr. Gilliam presented the following resolution, which was read and adopted:

Resolved, That the committee on the Revised Statutes be instructed to inquire into the expediency of so amending the said Statutes that any sheriff in said State, committing a defendant in a civil action for want of bail to the jail of his county, shall for the escape of such defendant be responsible only for actual negligence.

On motion by Mr. J. G. Bynum, the vote by which the resolution introduced by him concerning the supreme and superior courts was adopted, was reconsidered, and on his motion laid upon the table and ordered to be printed.

Mr. Gentry introduced a bill, accompanied by a memorial, to establish a new county by the name of Alleghany, which was read the first time, passed, and the same was referred to the committee on propositions and grievances.

Mr. Shepherd introduced a bill to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plankroad Company, which was read the first time and passed; and on his motion the rules were suspended, and the same

was read the second time and passed.

On motion by Mr. Dortch,

Ordered, That a message be sent to the Senate proposing to go forthwith into an election for a solicitor for the fourth judicial circuit.

Received from the Senate a message concurring in the proposition to go into an election for a solicitor for the fourth judicial circuit, and informing that Messrs. Speight and Mitchell form the Senate branch of the committee to superintend the election; and the Speaker named Messrs. Sherrill and Thornburg, a committee on the part of the House, and the Senate was informed thereof by message.

The House then voted as follows:

For Mr. Lancaster: —Messrs. Amis, J. Barnes, Bryson, Bryant, Cansler, Carmichael, Chadwick, Cofied, Dortch, Jarvis, Jenkins, Jordan, Martin, Mebane, Norment, Oglesby, Regan, Shipp, Sherrill, Sutton, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield and T. H. Williams—25.

For Mr. Ruffin:—Messrs. Speaker, Barringer, Badham, Blow, Bullock, J. B. Bynum, A. H. Caldwell, Cotton, Dargan, Daughtry, Dunn, Gentry, Gorrell, M. Green, Humphrey, Long, McDuffie, Myers, J. W. Neal, Outlaw, Patterson, Perkins, Rand, Settle, Shepherd, Shaw, Smith, Steele, Turner, Watts, Whitlock, Wilkins, Winston and C. W. Williams—34.

For Mr. Stedman:—Messis. A. Barnes, Black, Bogle, J. G. Bynum, Cook, Craven, Daniel, Davenport, Eure, Flynt, Furr, Garland, Gilliam, G. Green, Harrison, J. H. Headen, A. D. Headen, Hill, Holland, Horton, Houston, Jones, J. M. Leach, H. Leach, Love, March, Mann, McKesson, Mordecai, S. J. Neal, Parks, Patton, Roland, Rose, Russell, Selby, Sharpe, Singeltary, Stubbs, Thornburg, Tomlinson, Vance, Walser, B. F. Williams, S. A. Williams, Wright, Yancey and Waugh—48.

For Mr. Gorrell:—Messrs. D. F. Caldwell and Johnson—2. Mr. T. H. Williams asked to be excused from serving as one of the tellers to compare the Governor's vote; in consequence of indisposition he was excused, and Mr. Martin substituted in his stead.

Mr. Roland introduced a bill to repeal a portion of the second section of the 16th chapter of the Revised Statutes, entitled an

act concerning the burning of woods; which was read the first time and passed, and, on his motion, laid upon the table.

Mr. McDuffie a bill, accompanied by a memorial, to emancipate Betty, a slave; which was read the first time and passed, and the same was referred to the committee on private bills.

Mr. Sherrill, from the committee to superintend the election of solicitor for the fourth judicial circuit, reported that neither of the gentlemen in nomination had received a majority of the votes given, and consequently there was no election; which report was concurred in.

Received from the Senate a message, transmitting the report of the joint committee appointed to make arrangements to compare the vote for Governor; which was read and concurred in.

The Speaker announced that the hour had now arrived, according to the joint order of the two Houses, to compare and examine the returns of the votes for Governor, at the last August election; and accordingly a message was sent to the Senate, informing of the readiness of this House to receive that body for this purpose, and that Messrs. Steele and Martin were appointed tellers on the part of this House.

The two Houses thereupon assembled in general convention, in the hall of the House of Commons, Mr. Speakar Winslow of the Senate in the Chair, who made the following announcement:

Gentlemen of the Senate and of the House of Commons:

The two Houses of the General Assembly being here assembled, I will proceed, according to the requirements of the constitution, to open and publish, in their presence, the returns of the election for Governor, held on the first Thursday of August. I will commence with the counties in alphabetical order.

Thereupon, the clerks of the two Houses, in the presence of the tellers, proceeded to examine the several returns of the sheriffs, and to declare the number of votes given in the several counties of the State, as follows:

COUNTIES.	FOR THOMAS BRAGG.	FOR ALFRED DOCKERY.
Alamance,	-696	597
Alexander,	235	_441
Anson,	255	-902

Counties.	FOR THOMAS BRAGG.	For Alfred Dockery
Ashe,	550	671
Burke,	333	751
Buncombe,	562	7775
Bladen,	-620	426
Bertie,	410	- 490
Beaufort,	572	-901
Brunswick,	- 435	416
Cabarrus,	425	-642
Catawba,	739	310
Craven,	638	599
Cumberland,		904
the state of the s	283	245
Chowan, Columbus,	512	$\frac{245}{304}$
Camden,	125	461
Carteret,	399	403
Cherokee,	427	684
Caswell,	1007	220
Chatham,	1017	1137
Caldwell,	219	620
Currituck,	544	158
Cleaveland,	978	336
Davidson,	679	1292
Davie,	364	616
Duplin,	1061	225
Edgecombe,	1404	155
Forsythe,	897	802
Franklin,	713	339
Gaston,	808	138
Granville,	1078	995
Guilford,	528	1615
Greene,	350	351
Gates,	~422	351
Haywood,	345	350
Halifax,	584	551
Hertford,	237	306
Hyde,	303	397
Henderson,	243	687
Iredell,	292	1256

Counties.	For Thomas Bragg	For Alfred Dockery.
Jackson,	366	255
Jones,	230	. 229
Johnston,	336	744
Lenoir,	394	274
Lincoln,	573	296
Madison,	428	311
Martin,	696	299
McDowell,	217	674
Moore,	605	752
Montgomery,	145	741
Macon,	229	390
Mecklenburg,	1023	652
Nash,	1115	95
New Hanover	, 1109	424
Northampton,	641	490
Onslow,	596	238
Orange,	963	1080
Pasquotank,	331	496
Perquimons,	-343	334
Pitt,	- 725	708
Person,	601	331
Robeson,	782	679
Rockingham,	1036	317
Rowan,	932	976
Rutherford,	621	1019
Randolph,	403	1378
Richmond,	113	708
Sampson,	860	599
Surry,	797	464
Stokes,	636	437
Stanly,	95	874
Tyrrel,	109	275
Union,	-729	472
Wake,	1541	1169
Warren,	-754	163
Washington,	245	388
Watauga,	157	428
Wayne,	1145	304

Counties.	For Thomas Bragg	FOR ALFRED DOCKERY.
Wilkes,	325	/1261
Yadkin,	650	758
Yancey,	639	349
Total vot	e, 48,705	46,644

Whereupon, Mr. Speaker Winslow, as president of the convention made a declaration of the result as follows:

Gentlemen of the Senate and of the House of Commons:

The tellers appointed by the two Houses of the General Assembly to compare the returns and make a list of the votes given at the late election for Governor in this State, report that Thomas Bragg received 48,705 votes, being the highest number of votes given, and that Alfred Dockery received 46,644.

No objection being made to this report, I declare Thos. Bragg duly elected Governor of the State of North Carolina for two years from and after the first day of January, which shall be in the year of our Lord one thousand eight hundred and fifty-five.

The Senators having withdrawn, the Speaker of the Commons resumed his chair.

Whereupon he announced that the annual report of the treasurer of the State was upon his desk ready for the action of the House.

On motion by Mr. Shepherd, the same was transmitted to the Senate with a proposition to print and refer to the committee on finance.

Mr. Black introduced a bill to increase the capital stock of the Bank of Charlotte, which was read the first time, passed, referred to the committee on banking and ordered to be printed.

On motion by Mr. Black, the House adjourned to Monday morning, 10 o'clock.

MONDAY, DECEMBER 4, 1854.

Mr. A. H. Caldwell presented a memorial to establish a bank at Salisbury.

Mr. George Green presented a memorial to establish Union bank, in the town of Newbern; the same were severally referred to the committee on banking.

Mr. Amis presented a memorial in favor of John B. Debnam, of the county of Granville, which was referred to the committee on claims.

On motion by Mr. Singeltary,

Ordered, That a message be sent to the Senate proposing to print a list of the standing committees of each House, and the joint committees of the two Houses.

The Speaker announced the following committee on enrolled bills: Messrs White of Bladen, Leach of Davidson, Wilkins, J. F. Hill, and Flynt, and the Senate was informed thereof by message.

Mr. Perkins, from the committee to superintend the election for solicitor for the fourth judicial circuit, reported that neither of the gentlemen in nomination had received a majority of the votes given, and consequently there was no election, which report was concurred in.

Mr. S. A. Williams moved that a message be sent to the Senate proposing to go forthwith into an election for a solicitor in the fourth judicial circuit.

Mr. Singeltary objected to the motion, and the same was with-drawn.

Mr. Love renewed the motion, and

Mr. J. W. Neal moved to lay the motion upon the table, which was carried.

Mr. Waugh presented a report from the Bank of Fayetteville, and on his motion the same was laid upon the table and ordered to be printed.

Mr. Johnson introduced a bill to incorporate the Greensborough, Madison and Virginia Plankroad Company, which was read the first time, passed, and referred to the committee on corporations.

Mr. Barnes of Edgecombe, introduced a bill to establish a new county by the name of Wilson.

Mr. A. H. Caldwell, a bill to establish a public road in the county of Rowan; and

Mr. Garland, a bill to prevent the ranging of stock from any other State or county in Yancey county, which were severally read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Dortch introduced a bill to amend the constitution of the

State by providing for the election of judges for a term of years, which was read the first time, passed by the constitutional majority of three-fifths, and referred to the committee on constitutional reform.

Mr. Singeltary introduced a bill in relation to county courts; and

Mr. Jordan, a bill to prohibit the sale of spirituous liquors to free persons of color, which were severally read the first time, passed, referred to the committee on the judiciary, and ordered to be printed.

Mr. Jenkins introduced a bill to pay talis jurors in the county of Warren;

Mr. Gentry, a bill in favor of B. C. Bartlett, late sheriff of Ashe county;

Mr. Cofield, a bill to increase the pay of jurors in the county of Cumberland; and

Mr. Houston, a bill to emancipate Abram, a slave, which were severally read the first time, passed, and referred to the committee on private bills.

Mr. Dortch introduced a bill to incorporate the Bank of Goldsborough, which was read the first time, passed, and referred to the committee on banking.

Mr. Shepherd introduced a bill to amend an act of the session of 1852, entitled an act concerning the place of trial for civil process before justices of the peace, which was read the first time and passed.

Mr. Jones introduced a bill to regulate civil process; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Wright moved that a message be sent to the Senate, proposing to go into an election forthwith for a solicitor for the fourth judicial circuit.

Mr. Singeltary moved to lay the motion upon the table; which was disagreed to.

Mr. Jenkins moved to amend, by substituting to-morrow, at 12 o'clock, M.; which amendment was lost.

The question now recurring on the original motion, it was carried.

Mr. Wright introduced a bill to amend the common school law;

which was read the first time and passed, and referred to the committee on education.

Mr. Dortch, a bill concerning the Wilmington and Raleigh Railroad Company; which was read the first time and passed, and referred to the committee on internal improvement.

Mr. Steele presented a resolution of instruction to the committee on education; which was read and adopted.

On motion by Mr. Singeltary, the engrossed resolution from the Senate, authorizing the purchase of clocks for the use of the General Assembly was taken up, and Mr. S. A. Williams moved that the same be indefinitely postponed; which was disagreed to, and the resolution was read the second time and passed.

On motion by Mr. Steele the rules were suspended, and the same was read the third time, passed, and ordered to be enrolled.

Received from the Senate a message, informing that they have passed the engrossed bill from this House to protect wild fowl in the waters of the county of Currituck, with the following amendment:—Strike out the word "ratification" and insert "ten days after the passage of this bill," in which they ask the agreement of the House; the House agreed to the amendment, and ordered the bill to be enrolled.

Also a message agreeing to the several propositions of the House to print one copy of the treasurer's report for each member of the General Assembly, and to print a list of the standing and joint committees of the two Houses.

A bill to protect live stock from malicious destruction was taken up and read the third time, and

On motion by Mr. Mann, amended by striking out the county of Pasquotank.

The bill as amended then passed its third reading, and was ordered to be engrossed.

A bill to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Plankroad Company, was taken up, read the third time, passed, and ordered to be engrossed.

A bill to extend the time for perfecting titles to lands heretofore entered, was taken up, and

On motion by Mr. Patterson, laid upon the table.

On motion by Mr. Roland, a bill to repeal a portion of the se-

cond section 16th chapter of the Revised Statutes, entitled an act concerning the burning of woods, was taken up and read the second time.

Mr. Love moved to amend the bill by striking out Haywood county; and

Mr. Singeltary moved to amend by striking out the preamble. Which amendments were adopted.

On motion by Mr. D. F. Caldwell, the bill was laid upon the table.

On motion by Mr. George Green, the House adjourned to tomorrow morning 10 o'clock.

TUESDAY, DECEMBER 5, 1854.

Mr. Cansler presented a memorial from citizens of Lincoln county, praying the passage of a prohibitory liquor law, and

Mr. Mebane a like memorial from citizens of Alamance county, which were referred to the committee on propositions and grievances.

Mr. Lancaster, from the committee on private bills, to whom was referred the bill to pay talis jurors in the county of Alamance, reported favorably thereon, and the bill was read the second time, when

Mr. Craven moved to amend by inserting Randolph county;

Mr. Norment by inserting Robeson county;

Mr. Sharpe by inserting Iredell county; and

Mr. Bogle Alexander county.

Which amendments were severally adopted.

Mr. Phillips offered the following as a substitute, to come in after the enacting clause:

That hereafter all talis jurors who shall be summoned in either the county or superior courts of this State, and who shall actually serve on the jury, without being discharged before the adjournment of the court on the day on which they are summoned, shall be entitled to the same *per diem* compensation as jurors summoned on the original pannell.

2. Be it further enacted, That all talis jurors who shall be summoned to either of the courts aforesaid, and who shall be compelled to attend court on any other day than the day on which they were summoned, and shall actually serve on the jury, shall

be entitled to the same per diem compensation and mileage as jurors summoned on the original pannell; and the clerks of the respective courts aforesaid, are hereby requested to give to each talis juror a certificate of attendance in conformity to the provisions of this act, which the sheriff or county trustee shall pay in the same manner as jurors of the regular pannell are now paid.

Mr. Smith submitted the following amendment to the substitute offered by Mr. Phillips:

Provided, That the county court—a majority of the justices being present—may dispense with the provisions of this act, so far as that county may be concerned, which was read and adopted.

The question recurring upon the substitute as amended, it was adopted, and

On motion by D. F. Caldwell, the bill was referred to the committee on the judiciary.

The Speaker laid before the House a communication from Jno. M. Morehead, President of the North Carolina Railroad Company, and

On motion by J. M. Leach, the same was transmitted to the Senate, with a proposition to print the same together with the accompanying documents.

Received from the Senate a message proposing to go forthwith into an election for a solicitor for the fourth judicial circuit, which was concurred in, and the Speaker named Messrs. Bryant and Shipp a committee on the part of the House to superintend the election.

Mr. Dortch withdrew the name of Mr. Lancaster from the nomination, and the Senate was informed by message.

Received from the Senate a message informing that Messrs. Fennell and Morrisey form the Senate branch of the committee to superintend said election, and that they would proceed to vote upon the return of the messenger.

The House then voted as follows:

For Mr. Ruffin:—Messrs. Speaker, Amis, Badham, Blow, Bryson, J. G. Bynum, J. B. Bynum, A. H. Caldwell, Cansler, Cotten, Dargan, Daughtry, Dortch, Dunn, Gentry, Gorrell, M. Green, Houston, Humphrey, Jenkins, Jordan, Long, Lyon, Martin, McKesson, McDuffie, Mebane, Myers, J. W. Neal, Patterson, Perkins, Phillips, Rand, Settle, Shepherd, Shipp, Shaw,

Sherrill, Singeltary, Smith, Steele, Sutton, Turner, Watts, G. M. White, J. H. White, N. B. Whitfield, Whitaker, Whitlock, Wilkins, T. H. Williams, C. W. Williams and Barringer—53.

For Mr. Stedman:—Messrs. J. Barnes, A. Barnes, Black, Bogle, Bryant, Chadwick, Cofield, Cook, Craven, Daniel, Davenport, Eure, Flynt, Furr, Garland, Gilliam, George Green, Harrison, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Horton, Jarvis, Jones, J. M. Leach, H. Leach, Love, March, Mann, Mordecai, S. J. Neal, Norment, Parks, Patton, Regan, Roland, Russell, Sharpe, Simmons, Stubbs, Thornburg, Tomlinson, Vance, Walser, Waugh, B. F. Williams, S. A. Williams, D. Williams, Wright and Yancey—51.

Mr. D. F. Caldwell voted for Mr. Gorrell.

Mr. Carmichael voted for Mr. Turner.

Mr. Johnson voted for Mr. Long.

M. Selby voted for Mr. J. F. Hill.

Mr. Lyon moved to reconsider the vote by which the communication from John M. Morehead, President of the North Carolina Railroad Company, and accompanying documents, was ordered to be transmitted to the Senate with a proposition to print.

On motion by Mr. J. M. Leach, the motion to reconsider was laid upon the table.

Mr. Lancaster, from the committee on private bills, to whom was referred a bill to emancipate Jerry a slave, reported the same back to the House and recommended its passage, which was read the second time and passed; yeas 91, nays 17.

The yeas and nays demanded by Mr. George Green.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, A. Barnes, Barringer, Badham, Black, Blow, Bogle, Bryson, J. G. Bynum, J. B. Bynum, D. F. Caldwell, A. H. Caldwell, Cansler, Carmichael, Cofield, Cotten, Cook, Craven, Dargan, Daniel, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Horton, Houston, Humphrey, Jenkins, Johnson, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, March, Mann, McKesson, McDuffie, Mebane, Mordecai, Myers, S. J. Neal, J. W. Neal, Norment, Oglesby, Outlaw, Patterson, Parks, Patton, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Shipp, Shaw,

Sharpe, Sherrill, Singeltary, Stubbs, Steele, Sutton, Thornburg, Tomlinson, Vance, Walser, Waugh, J. H. White, Whitlock, Wilkins, B. F. Williams, T. H. Williams, C. W. Williams, D. Williams, Wright and Yancey—91.

Those who voted in the negative, were,

Messrs, Bryant, Chadwick, Daughtry, Gilliam, G. Green, Harrison, Jones, Jordan, Martin, Perkins, Simmons, Smith, Watts, G. M. White, N. B. Whitfield, Whitaker and S. A. Williams—17.

Mr. Shipp, from the committee to superintend the election of solicitor for the fourth judicial circuit, reported that Mr. Thomas Ruffin had received a majority of the whole number of votes given, and was duly elected, which report was concurred in.

The Speaker laid before the House a communication from his Excellency, the Governor, addressed to the Speakers of the two Houses, stating that he would accept the office of United States Senator on to-morrow, which was read and laid upon the table.

On motion by Mr. Steele, the House adjourned to to-morrow morning, 10 o'clock.

WEDNESDAY, December 6, 1854.

The Speaker laid before the House a communication, with accompanying documents, from John M. Morehead, chairman of the board of commissioners of the lunatic asylum, which,

On motion by Mr. Barringer, was transmitted to the Senate with a proposition to print.

The Speaker also laid before the House a communication from his Excellency, the Governor, transmitting the report of Walter Gwynn, chief engineer of the North Carolina and Western railroad route, which,

On motion by Mr. Patterson, was laid upon the table.

Mr. Singeltary asked to be excused from serving on the committee on the judiciary, being on two other standing committees. He was excused, and Mr. Sharpe appointed in his stead.

Mr. Shepherd asked to be excused from serving on the committee on the Revised Statutes, being on two other standing committees. He was excused.

Mr. Barnes, of Edgecombe, presented a memorial to establish

a new county by the name of Wilson, out of portions of the counties of Edgecombe, Wayne, Nash and Johnson.

Mr. J. B. Bynum presented a memorial from citizens of Northampton county, praying the passage of a law prohibiting the traffic in intoxicating liquors;

Mr. J. H. Headen, a like memorial from citizens of Chatham county;

Mr. Craven, a like memorial from citizens of Randolph county; and

Mr. Mebane, a like memorial from citizens of Alamance county, which were severally referred to the committee on propositions and grievances.

Mr. Smith presented a memorial from the president of the State Agricultural Society on the subject of breeding sheep, and praying for a remedy against the ravages of dogs, which was referred to the committee on agriculture.

Mr. Lancaster, from the committee on private bills, to whom was referred

A bill to pay talis jurors in the county of Warren; and

A bill to pay talis jurors in the county of Carteret, reported the same back to the House and recommended their passage.

Mr. Lancaster, from the same committee, reported unfavorably on a bill to increase the pay of jurors in the county of Cumberland, which was laid upon the table.

Mr. Dortch, from the committee on the judiciary, to whom was referred the bill to divide the State into nine judicial circuits, and for other purposes, reported a substitute therefor and recommended its passage.

Mr. Dortch, from the same committee, reported a bill concerning a penitentiary, which was read the first time and passed, and on his motion, ordered to be printed.

Mr. Dortch, from the same committee, to whom was referred a resolution instructing them to inquire into the expediency of abolishing jury trials in the county courts, reported unfavorably and asked to be discharged from the further consideration of the subject, which was concurred in.

Mr. Dortch from the same committee, to whom was referred a resolution instructing them to inquire into the expediency of abolishing imprisonment for debt, &c., reported that no further legis-

lation on the subject is necessary, and asked to be discharged from the further consideration thereof, which report was received and laid upon the table.

Mr. Waugh, from the committee on propositions and grievances, reported favorably upon

A bill to aid in the opening and improving the road across the the Blue Ridge, at Fisher's Gap; and

A bill to establish a new county by the name of Alleghaney, and recommended their passage.

Mr. T. H. Williams, from the committee on education, to whom was referred a bill to amend the common school law, reported unfavorably thereon and recommended that it do not pass.

Mr. Phillips rose to a point of order.

The chair decided that the bill reported would go upon the table without being read.

Mr. Phillips appealed from the decision of the Chair.

The House decided that the decision of the Speaker should stand as the decision of the House.

Received from the Senate a message concurring in the proposition of the House to print the report of the president of the North Carolina Railroad Company and accompanying documents, and also the report and accompanying documents of the chairman of the board of commissioners of the lunatic asylum.

Mr. J. B. Bynum, from the select committee on constitutional reform, to whom was referred a bill to amend the constitution of North Carolina, reported the same back to the House with an amendment and recommended its passage, and on motion, the report was laid upon the table.

Mr. Steele presented a resolution authorizing the literary board to loan Laurinburg High School, in the county of Richmond, the sum of two thousand dollars, which was read the first time, passed, and referred to the committee on education.

Mr. Steele presented the following resolution, which was read and adopted:

Resolved, That the committee on finance be instructed to inquire into the expediency of a law whereby the duty of taking the lists of taxable property shall devolve upon some one suitable person, to be appointed by the county court of each county in the State, and that said committee report by bill or otherwise.

Mr. Mebane introduced a bill to incorporate Alexander Lodge, in the town of Graham, pending the reading of which,

On motion by Mr. Singeltary, the House adjourned to to-morrow morning 10 o'clock.

THURSDAY, DECEMBER 7, 1854.

On motion by Mr. Patterson, the message from his Excellency, the Governor, transmitting the report of Walter Gwynn, chief engineer of the survey of the North Carolina and Western railroad route, was taken from the table and transmitted to the Senate, with a proposition to print the same, together with the accompanying documents.

The Speaker laid before the House a communication from his Excellency, the Governor, transmitting the annual report of the

president and directors of the literary fund.

On motion by Mr. J. G. Bynum, the same was transmitted to the Senate with a proposition to print.

Mr. Sharpe presented a memorial praying the erection of a new county by the name of Graham, out of portions of Rowan, Iredell, and Cabarrus.

Mr. Norment presented a memorial from citizens of Robeson county, praying the passage of a law prohibiting the traffic in intoxicating liquors;

Mr. Thornburg a like memorial from citizens of Randolph

county, and

Mr. Shaw a memorial to prevent the sale of intoxicating liquors within a certain distance of Clinton Female Institute.

Which memorials were severally referred to the committee on propositions and grievances.

Mr. Mebane called up the bill introduced by him on yesterday, to incorporate Alexander Lodge in Alamance county, and asked leave to withdraw the same, which was granted.

Mr. Dortch, from the committee on the judiciary, reported unfavorably upon a bill to give the county and superior courts of Mecklenburg county jurisdiction over the sale of real estate in certain cases.

Also unfavorably upon a bill to pay talis jurors in said county,

On motion by Mr. Black, were laid upon the table.

Mr. Lancaster, from the committee on private bills, reported unfavorably upon a bill to increase the pay of jurors and witnesses in the county of Onslow.

Mr. Steele moved to suspend the rules, and take up the bill to provide adequate compensation to certain officers of this State; which motion was lost.

Mr. McDuffie presented the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so altering or modifying the law of landlord and tenant, as to give the landlord some more efficient and expeditious remedy against the tenant.

Mr. J. F. Hill submitted the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary enquire into the expediency of amending or repealing an act passed at the session of 1850-51, authorizing the Governor to appoint some suitable person to make a geological, mineralogical, botanical and agricultural survey of the State, and report by bill or otherwise.

Mr. Turner introduced a resolution in favor of Jasper Tinnin. which was read the first time, passed, and referred to the committee on claims.

Mr. Lyon introduced a bill to increase the pay of jurors, which was read the first time and passed, and on his motion, laid upon the table.

Mr. D. F. Caldwell introduced a bill to charter the Peoples' Bank of the State of North Carolina, which was read the first time, passed, referred to the committee on banking, and ordered to be printed.

Mr. D. F. Caldwell asked to be excused from serving on the committee, which was refused.

Mr. Phillips introduced a bill to amend an act to define the duties and powers of turnpike and plankroad companies, which was read the first time, passed, and referred to the committee onthe judiciary.

Received from the Senate a message transmitting an engrossed bill making compensation to justices of the peace for taking lists of taxable property, and an engrossed resolution directing the public treasurer to pay over to the treasurer of the North Carolina

Railroad Company the balance of the State's subscription to said company, in which they ask the concurrence of the House.

Received from the Senate a message to ballot forthwith for two trustees of the university, which was concurred in.

The Chair named Messrs. J. M. Leach and Black a committee on the part of the House to superintend the balloting.

The names of Messis. Nathaniel Roane, John W. Cunningham, David T. Tayloe, Samuel F. Phillips, John G. Bynum, W. T. Dortch, Henry B. Elliott and W. J. Clarke were put in nomination, and the Senate was informed by message.

Received from the Senate a message informing that Messrs. Davis and Tayloe form the Senate branch of the committee to superintend the balloting for trustees; that the names of Thomas J. Morrisey and Jos. B. Cherry are added to the nominations; and that the Senate would proceed to ballot upon the return of the messenger.

The roll was then called, and the House balloted accordingly.

Mr. J. G. Bynum presented the following resolution, which was read and adopted:

Resolved, That a select committee of five be appointed to enquire into the manner in which the geological survey of the State has been conducted, the progress that has been made, and the expediency of continuing the same, and that said committee report by bill or otherwise.

Mr. Shepherd introduced a bill to re-charter the Bank of the State of North Carolina, which was read the first time, passed, referred to the committee on banking, and ordered to be printed.

Mr. Patterson introduced a bill to limit the time within which persons hereafter appointed justices of the peace shall take the oaths of office, and for other purposes; which was read the first time and passed.

On motion by Mr. Steele,

Ordered, That a message be sent to the Senate, proposing to increase the number of the joint select committee on banking to eight on the part of each House.

Mr. Cook introduced a btll to incorporate the Mocksville and Wilkesboro' Plankroad Company; which was read the first time, passed, and referred to the committee on internal improvement.

Mr. Martin, a bill to provide for the better government of the

town of Louisburg, in Franklin county; which was read the first time, passed, and referred to the committee on private bills.

Mr. J. H. White, a bill to amend the statute concerning widows; which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Tomlinson, a bill to amend the common school law as far as relates to the county of Johnston; which was read the first time, passed, and referred to the committee on education.

Mr. Outlaw moved that this House do now adjourn; which motion was lost: yeas 26, nays 77.

The yeas and nays demanded by Mr. Smith.

Those who voted in the affirmative, were,

Messrs. Bullock, J. B. Bynum, Cotten, Cook, Daniel, Eure, Gilliam, A. D. Headen, Jenkins, J. M. Leach, Meares, S. J. Neal, Outlaw, Parks, Patton, Rose, Shipp, Singeltary, Stubbs, Steele, Tomlinson, Turner, Vance, G. M. White, Whitaker and S. A. Williams—26.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Barringer, Black, Blow, Bogle, Bryson, Bryant, J. G. Bynum, D. F. Caldwell, A. H. Caldwell, Cansler, Chadwick, Cofield, Craven, Daughtry, Dortch, Davenport, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Johnston, Jordan, Lancaster, H. Leach, Long, Lyon, March, Martin, Mann, McKesson, McDuffie, Mebane, Myers, Norment, Oglesby, Patterson, Perkins, Phillips, Rand, Regan, Roland, Russell, Selby, Settle, Shepherd, Shaw, Sharpe, Sherrill, Simmons, Smith, Sutton, Thornburg, Walser, Waugh, Watts, J. H. White, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams and Wright—77.

Mr. Black, from the committee to superintend the balloting for trustees of the University, reported that John W. Cunningham, of Person, had received a majority of the whole number of votes given, and was therefore duly elected, and that neither of the other gentlemen in nomination had received such majority; which report was concurred in.

Mr. Holland introduced a bill to incorporate the Shelby Railroad Company.

Mr. Singeltary moved to lay the bill upon the table, which motion was lost.

Mr. S. A. Williams moved that the House do now adjourn, which was disagreed to.

The bill was then read the first time, passed, and referred to the committee on internal improvements.

The Speaker laid before the House the annual report of the comptroller, and also a report from the Merchant's Bank of Newbern, and

On motion by Mr. Amis, the same were transmitted to the Senate with a proposition to print.

Mr. Sharpe introduced a bill to lay off and establish a new county by the name of Graham, which was read the first time and passed.

Mr. Jenkins moved that this House do now adjourn, which motion was lost; yeas 20, nays 75.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Bullock, D. F. Caldwell, Cotten, Dortch, J. F. Hill, Houston, Jenkins, Mebane, S. J. Neal, Patton, Rand, Settle, Shaw, Smith, Steele, Vauce, G. M. White, J. H. White, D. Williams and Yancey—20.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Barringer, Black, Bogle, Bryson, Bryant, J. G. Bynum, J. B. Bynum, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Daughtry, Davenport, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Harrison, J. H. Headen, A. D. Headen, Holland, Horton, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, March, Martin, Mann, McKesson, McDuffie, Meares, Myers, Norment, Oglesby, Patterson, Parks, Phillips, Regan, Roland, Rose, Russell, Selby, Shepherd, Shipp, Sharpe, Sherrill, Simmons, Stubbs, Thornburg, Walser, Waugh, Watts, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, Wilkins, B. F. Williams, S. A. Williams, C. W. Williams and Wright —75.

Mr. S. A. Williams introduced a bill to amend the act passed at the session of 1840-'41, entitled an act to prevent free persons of color from carrying fire-arms, pending the reading of which,

On motion by Mr. Cook, the House adjourned to to-morrow morning, 10 o'clock.

FRIDAY, DECEMBER 8, 1854.

The Speaker announced the following committee on the geological survey: Messrs. J. G. Bynum, Selby, Chadwick, Smith, and Jones.

The Speaker also substituted Mr. Phillips, in place of Mr. Shepherd, heretofore excused from the committee on the Revised Statutes.

Mr. Barringer presented a memorial from citizens of Cabarru county, praying the passage of a law prohibiting the traffic in intoxicating liquors;

Mr. Cofield, a like memorial from citizens of the county of Cumberland;

Mr. J. H. Headen, a like memorial from citizens of Chatham county;

Mr. Sherrill, a like memorial from citizens of Catawba county;
Mr. Settle, a like memorial from citizens of Rockingham county;

Mr. Regan, a like memorial from citizens of Robeson county; and

Mr. G. M. White, a like memorial from citizens of Bladen county, which were severally referred to the committee on propositions and grievances.

Mr. Shepherd, a memorial from the Grand Division of Sons of Temperance, praying the passage of a law giving to a majority of the voters of each common school district the privilege of saying whether intoxicating liquors shall be sold in said district in any quantities, which was read, and on motion laid upon the table.

On motion by Mr. Bogle, the temperance memorial and report heretofore presented by him was taken from the table and recommitted to the committee on propositions and grievances.

On motion by Mr. Roland, a resolution in favor of John Pane was taken up, and he then moved that the same be referred to the committee on monuments.

Mr. Johnson moved to amend the motion by referring to the committee on claims, which latter motion was carried.

Mr. J. H. White presented a memorial praying an amendment to the statute concerning widows, which was referred to the committee on the judiciary.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill to increase the pay of jurors in the county of New Hanover, reported a substitute therefor, which was read the first time and passed.

Mr. Cansler, from the committee on internal improvements, reported favorably the bill to incorporate the Cape Fear and Wacamaw Lumber Company; also,

A bill to incorporate the Chatham Railroad Company; and

A bill to provide for the improvement of the road leading from the county line of Wilkes county, by way of Meat Camp Creek, to the Tennessee line at or near Welch's store.

Mr. Settle, from the committee on claims, to whom was referred a resolution in favor of W. H. High, sheriff of Wake county, reported the same back to the House, and recommended its passage.

Mr. Singeltary presented a resolution in relation to adjourning, which was read, and on his motion, laid upon the table.

Mr. Houston submitted a resolution in relation to administrators, which was read, and on his motion, laid upon the table.

Mr. Dortch presented a resolution instructing the committee on the revisal of the Statutes, to enquire into the propriety of allowing guardians and trustees to invest funds in State bonds, which was read and adopted.

Mr. Dortch submitted a resolution instructing the committee on the revisal of the Statutes, to enquire into the propriety of providing for divorce from the bonds of matrimony in certain cases, which was read and adopted.

Mr. Roland introduced a bill to incorporate the Farmers and Miners' Bank, to be located in the town of Murphey, in the county of Cherokee, which was read the first time, passed, referred to the committee on banking, and ordered to be printed.

Mr. Barringer introduced a bill to incorporate the Concord and Cheraw Railroad Company, which was read the first time, passed, and laid upon the table.

Mr. Gilliam, a bill to incorporate a bank in the town of Plymouth, in the county of Washington, which was read the first

time, passed, referred to the committee on banking, and ordered to be printed.

On motion by Mr. Jenkins, a bill introduced by Mr. S. A. Williams on yesterday, to amend an act passed at the session of 1840-'41, entitled an act to prevent free persons of color from carrying fire-arms, was taken up, read the first time, passed, and referred to the committee on the judiciary.

On motion by Mr. Sharpe, a bill to lay off and establish a new county by the name of Graham, was taken from the table, and referred to the committee on propositions and greivances.

Mr. Jenkins introduced a bill to make the killing of stock by railroads prima facie evidence of negligence, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Blow introduced a bill to amend an act, entitled an act for the better regulation of the town of Greenville, passed at the session of 1838-'39, chap. 44, which was read the first time, passed, and referred to the committee on private bills.

Mr. Daniel, a bill to incorporate the Central Gold and Copper Mining Company of North Carolina, which was read the first time, passed, and referred to the committee on corporations.

Mr. Humphrey, a bill to incorporate a company to construct a railroad from some point on the waters of Beaufort Harbor (to be hereafter determined,) to the town of Fayetteville, through the counties of Carteret, Onslow, Duplin, Sampson and Cumberland, which was read the first time, passed, and ordered to be printed.

Mr. Bryson, a bill to encourage the killing of wolves in the county of Jackson, which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. McDuffie, a bill for laborers and mechanics lien, which was read the first time, passed, referred to the committee on the judiciary, and ordered to be printed.

Mr. Meares introduced a bill to create a scientific and military school and a State arsenal in this State, which was read the first time, passed, referred to the committee on military affairs, and ordered to be printed.

Mr. Myers introduced a bill to amend the charter of the town of Charlotte, which was read the first time, passed, and referred to the committee on corporations.

Mr. Craven, a bill to regulate the number of justices of the

peace for the county of Randolph, which was read the first time, passed, and referred to the committee on private bills.

Mr. Walser, a bill authorizing administrators and guardians to sell real and personal estate for distribution amongst legatees and minor heirs, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Phillips introduced a bill to render the writ of trespass on the case applicable to all cases, where trespass vi et armis may now be used, which was read the first time, passed, referred to the committee on the revisal of the Statutes, and ordered to be printed.

Mr. Singeltary, a bill to protect creditors of non-resident debtors, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Phillips, a bill to incorporate the Hillsboro' and Chapel Hill Plankroad company, which was read the first time, passed, and referred to the committee on corporations,

Mr. Simmons, a bill to incorporate the Jacksonville and Trent River Plankroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Phillips, a bill to incorporate the Hillsboro' and Milton Plankroad Company, which was read the first time, passed, and referred to the committee on corporations.

Mr. C. W. Williams, a bill empowering the county court of Yadkin to appoint superintendents of common schools, and concerning the distribution of the common school fund, which was read the first time, passed, and referred to the committee on private bills.

Mr. J. F. Hill moved that this House do now adjourn, which motion was lost.

Mr. Jenkins moved that a message be sent to the Senate, proposing to go into a ballot forthwith for one trustee of the university, and

On motion by Mr. Shepherd, the motion was laid upon the

On motion by Mr. McKesson, the House adjourned to to-morrow morning 10 o'clock.

SATURDAY, DECEMBER 9, 1854.

Mr. Shepherd, from the committee on the judiciary, to whom was referred a bill giving a right of action in certain cases to personal representatives where death has been caused by neglect or default of railroad companies, reported a substitute and recommended its passage, which was read the first time and passed.

Mr. Dortch from the same committee to whom was referred a resolution in relation to the geological, mineralogical, botanical and agricultural survey of the State, reported the same back to the House and recommended that it be referred to the select committee on that subject, which report was concurred in.

Mr. Dortch, from the same committee, to whom was referred a resolution instructing them to inquire into the expediency of so altering or modifying the law of landlord and tenant as to give the landlord some more efficient and expeditious remedy against the tenant, reported that no further legislation is necessary, and asked to be discharged from its further consideration, which was concurred in.

Mr. Dortch, from the same committe, to whom was referred a bill to regulate civil process, reported the same back to the House and recommended that it do not pass, and the bill was laid upon the table.

Mr. Dortch, from the same committee, to whom was referred a bill to amend the statute concerning widows, reported the same back to the House and recommended its passage,

Mr. Dortch, from the same committee, to whom was referred a resolution instructing them to inquire into the expediency of passing a law respecting the counterfeiting of American silver coin, reported that no further legislation is necessary, and asked to be discharged from its further consideration, which was concurred in.

Mr. Cansler from the committee on internal improvement, to whom was referred a bill to incorporate the Shelby Railroad Company; also,

A bill concerning the Wilmington and Raleigh Railroad Company; also,

A bill to incorporate the Jacksonville and Trent River Plankroad Company; and also,

A bill to incorporate the Wilmington and Charlotte Railroad

Company, reported the same back to the House and recommended their passage.

On motion by Mr. Steele, the bill to incorporate the Wilmington and Charlotte Railroad Company, was made the special order of the day for Wednesday next at 11 o'clock, A. M.

Mr. Phillips, from the committee on the judiciary, to whom was referred a bill to amend an act to define the duties and powers of turnpike and plankroad companies, reported the same back to the House with an amendment, and recommended its passage.

The amendment was read and adopted.

The rules being suspended, the bill as amended was read the second time and passed.

Mr. Phillips, from the same committee, to whom was referred a bill to pay talis jurors, reported a substitute therefor and recommended its passage.

Mr. Dortch moved that the rules be suspended, and that an engrossed resolution from the Senate concerning the North Carolina Railroad be taken up, which was

On motion by Mr. Martin, laid upon the table.

Mr. Settle, from the committee on claims, to whom was referred a memorial in favor of John Y. Adams and others, reported the same back to the House and recommended that the prayer be not granted.

On motion by Mr. Phillips, the report and memorial were laid upon the table.

Mr. Settle, from the same committee, reported favorably upon a resolution in favor of Jasper Tinnin.

Mr. Lancaster, from the committee on private bills, to whom was referred the bill empowering the county court of Yadkin to appoint superintendents of common schools, and for other purposes; and also,

A bill to emancipate Louis, a slave, reported the same back to the House and recommended their passage.

Mr. Bynum, of Northampton, from the committee on constitutional reform, to whom was referred that portion of the Governor's message recommending the abolition of the free-hold qualification of voters for members of the Senate, reported a bill to amend the constitution of the State of North Carolina, which was read, and On motion by Mr. Smith, laid upon the table.

Received from the Senate a message transmitting the following engrossed bills, in which they ask the concurrence of the House, to wit:

A resolution concerning the Cape Fear and Deep River Navigation Company;

A resolution in favor of David A. Ray & Co.;

A bill authorizing the Nantahala and Tuckasege Turnpike Company to build a toll bridge;

A bill concerning the trustees of Louisburg Female Academy;

A bill to establish the county of Polk;

A bill concerning abatement of suits;

A bill concerning appeals, &c.;

A bill concerning agriculture, geology, &c.; and

A bill concerning amendment of process, &c.

Mr. Singeltary submitted the following resolution:

Resolved, That a message be sent to the Senate proposing to ballot on Monday next, at 12 o'clock, on the following resolution:

Resolved, That this General Assembly will adjourn from and after the 23rd instant, to meet again on the first Monday in November next.

Mr. Vance offered the following as a substitute:

Resolved, That when this Legislature do adjourn, that it adjourn upon the 15th day of January next, to meet in the town of Asheville, on the first Monday of July next.

And on motion by Mr. Shipp, the same was laid upon the table; yeas 85, nays 20.

The yeas and nays demanded by Mr. B. F. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, Barringer, Badham, Bogle, Bryson, Bryant, Bullock, J. B. Bynum; D. F. Caldwell, A. H. Caldwell, Cansler, Carmichael, Cofield, Cook, Craven, Daughtry, Davenport, Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, Harrison, J. H. Headen, A. D. Headen, Hill, Holland, Horton, Houston, Jenkins, Johnson, Jones, Jordan, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, March, Martin, McMillan, McDuffie, Meares, Mebane, Mordecai, Mycrs, S. J. Neal, Outlaw, Patterson, Parks, Patton, Perkins, Phil-

lips, Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Sharpe, Shipp, Sherrill, Simmons, Stubbs, Thornburg, Tomlinson, Walser, Waugh, G. M. White, J. H. White, L. Whitfield, Whitaker, Whitlock, Wilkins, Winston, B. F. Williams, C. W. Wılliams and Wright—85.

Those who voted in the negative; were,

Messrs. Black, Blow, J. G. Bynum, Daniel, Eure, M. Green, Humphrey, Jarvis, Mann, McKesson, J. W. Neal, Norment, Oglesby, Singeltary, Steele, Turner, Vance, Watts, D. Williams and Yancy—20.

Mr. Mann presented the following resolution:

Resolved, That this Legislature take a recess from the 22nd December, 1854, to the 15th January, 1855; which, on motion by Mr. Barringer, was laid upon the table: yeas 94, nays 7.

The yeas and nays demanded by Mr. Mann.

Those who voted in the affirmative, were,

Messrs, Amis, A. Barnes, Barringer, Badham, Black, Blow, Bryson, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, A. H. Caldwell, Cansler, Carmichael, Cofield, Cook, Craven, Daniel, Daughtry, Davenport, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Harrison, J. H. Headen, A. D. Headen, Hill, Holland, Horton, Houston, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, Love, Lyon, March, Martin, McMillan, McKesson, McDuffie, Meares, Mebane, Mordecai, Myers, S. J. Neal, J. W. Neal, Norment, Oglesby, Patterson, Parks, Patton, Perkins, Phillips, Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Shipp, Sherrill, Simmons, Smith, Stubbs, Steele, Thornburg, Tomlinson, Turner, Walser, Waugh, Watts, G. M. Withe, J. H. Wlute, L. Whitfield, Whitaker, Wilkins, B. F. Williams, C. W. Williams, Wright and Yancey—93.

Those who voted in the negative, were,

Messrs. J. G. Bynum, Humphrey, Jarvis, Outlaw, Singeltary, Vance and D. Williams—7.

Mr. Whitlock submitted the following resolution; which, under the rules, lies over one day:

Resolved, 'That this House meet and hold evening sessions from and after Tuesday next.

Mr. Smith presented the following resolution; which, under the rules, lies over one day:

Resolved, That the rules of order be so amended, that no motion to adjourn before half-past one o'clock, P. M., shall be in order, unless by the consent of two-thirds of the House.

Mr. Barringer submitted the following resolution:

Resolved, That 100 copies of the report of the public treasurer be printed for the use of his office.

Which was read the first time and passed; the rules being suspended, the same was read the second and third time, passed, and ordered to be engrossed.

On motion by Mr. Jenkins, the rules were suspended, and the engrossed resolution in favor of W. W. Holden and John H. Decarteret, was taken up, and read the first time and passed; and, on motion by Mr. J. G. Bynum, referred to the committee on claims.

Mr. J. G. Bynum moved that this House do now adjourn-which motion was lost: yeas 12, nays 84.

The yeas and nays demanded by Mr. Smith.

Those who voted in the affirmative, were,

Messrs. Amis, J. G. Bynum, Carmichael, Gilliam, Harrison, J. M. Leach, Love, Mann, Shipp, Sharpe, Stubbs and Yancey—12.

Those who voted in the negative, were,

Messrs. A. Barnes, Barringer, Badham, Black, Blow, Bogle, Bryson, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, A. H. Caldwell, Cansler, Cofield, Craven, Daniel, Daughtry, Davenport, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, J. H. Headen, A. D. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, Martin, McMillan, McKesson, McDuffie, Meares, Mebane, Mordecai, Myers, S. J. Neal, Norment, Oglesby, Patterson, Parks, Patton, Perkins, Phillips, Regan, Roland, Rose, Selby, Settle, Shepherd, Sherrill, Singeltary, Simmons, Smith, Steele, Thornburg, Tomlinson, Vance, Walser, Waugh, Watts, G. M. White, J. H. White, L. Whitfield, Whitaker, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams and Wright—84.

Mr. McMillan presented a statement from the Commercial

Bank of Wilmington; and, on his motion, the same was transmitted to the Senate, with a proposition to print.

Mr. Shipp moved that this House do now adjourn; which motion was not carried.

Mr. Shepherd introduced a bill to amend an act ratified on the 29th day of January, 1849, entitled an act to establish the Bank of Fayetteville; which was read the first time and passed.

Mr. McMillan, a bill to increase the capital stock of the Commercial Bank of Wilmington; which was read the first time and passed, and referred to the committee on banking.

Mr. Garland, a bill to establish a public road in Yancey county; which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Meares, a bill to extend the time for the registration of grants, mesne conveyances, powers of attorney, bills of sale, and deeds of gift; which was read the first time and passed.

Mr. Flynt, a bill establishing a homestead freehold; which was read the first time and passed, and referred to the committee on the indiciary, and ordered to be printed.

Mr. Singeltary presented the resignation of Henry S. Clark, one of the trustees of the university; and, on his motion, the same was received and transmitted to the Senate.

Mr. Myers introduced a bill to amend the 8th section, chap. 10, Revised Statutes; which was read the first time and passed, and referred to the committee on the Revised Statutes.

Mr. Houston moved that this House do now adjourn; which motion was lost.

On motion by Mr. Myers, a bill to emancipate Jerry, a slave, was taken up and read the third time, and Mr. A. J. Jones offered the following amendment to the second section in the 9th line:

"And shall not be allowed to reside in any one county in the State exceeding ten days in succession, except in the county of Mecklenburg; shall not be allowed to traffic or peddle in any county in the State;" which was rejected: yeas 14, nays 76.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Bryant, Daughtry, Gilliam, Jones, Martin, Sherrill, Simmons, Smith, Watts, J. H. White, L. Whitfield, Whitlock and D. Williams—14.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Badham, Black, Blow, Bogle, Bryson, Bullock, J. G. Bynum, J. B. Bynum, D. F. Caldwell, A. H. Caldwell, Cofield, Cook, Craven, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Horton, Houston, Humphrey, Jenkins, Johnson, Jordan, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, March, McMillan, Mann, McKesson, McDuffie, Mebane, Myers, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Parks, Patton, Phillips, Regan, Roland, Selby, Settle, Shepherd, Shipp, Sharpe, Singeltary, Stubbs, Steele, Thornburg, Vance, Walser, Waugh, G. M. White, Whitaker, Wilkins, Winston, B. F. Williams, C. W. Williams, Wright and Yancey—76.

The question now recurring upon the passage of the bill its third reading, it passed; yeas 75, nays 15.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, Barringer, Badham, Blow, Bogle, Bryson, Bullock, J. G. Bynum, J. B. Bynum, D. F. Caldwell, A. H. Caldwell, Cofield, Cook, Craven, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, J. H. Headen, A. D. Headen, J. F. Hill, Holland, Horton, Houston, Humphrey, Jenkins, Johnson, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, March, McMillan, Mann, McKesson, McDuffie, Mebane, Myers, S. J. Neal, J. W. Neal, Norment, Oglesby, Outlaw, Patterson, Parks, Patton, Phillips, Regan, Roland, Selby, Settle, Shepherd, Shipp, Sharpe, Sherrill, Singeltary, Stubbs, Steele, Thornburg, Vance, Walser, Waugh, J. H. White, Wilkins, Winston, B. F. Williams, C. W. Williams, Wright and Yancey—75.

Those who voted in the negative, were,

Messrs. Bryant, Daughtry, Gilliam, Jarvis, Jones, Jordan, Martin, Simmons, Smith, Watts, G. M. White, L. Whitfield, Whitaker, Whitlock and D. Williams—15.

The said bill was ordered to be engrossed.

The Speaker laid before the House a statement from the president of the Bank of the State of North Carolina, in compliance with a resolution of this House.

On motion by Mr. Patterson, the same was transmitted to the Senate with a proposition to print.

The Speaker also laid before the House a communication from the president of the Raleigh and Gaston Railroad, which was laid upon the table.

The Speaker also laid before the House a communication from the public treasurer, transmitting such bank exhibits as have been received at his office since the adjournment of the last Legislature, which was laid upon the table.

On motion by Mr. McKesson, the House adjourned to to-mor row morning 10 o'clock.

MONDAY, DECEMBER 11, 1854.

On motion by Mr. J. G. Bynum, Mr. John Baxter, member elect from the county of Henderson, produced his credentials, was duly qualified, and took his seat.

On motion by Mr. J. B. Bynum, Mr. M. W. Smallwood, member elect from the county of Northampton, produced his credentials, was duly qualified, and took his seat.

The Chair announced the following committee on enrolled bills: Messrs. Patterson, Lyon, Daniel, Turner and C. W. Williams.

On motion by Mr. Patterson, a communication from the public treasurer with the accompanying exhibits of banks, was taken from the table, and transmitted to the Senate with a proposition to print.

- Mr. G. M. White presented a memorial from citizens of Bladen county, praying the passage of a law prohibiting the traffic in intoxicating liquors;
- Mr. J. B. Bynum, a like memorial from citizens of Northampton county;

Mr. Roland, a like memorial from citizens of Cherokee county; Which were severally referred to the committee on propositions and grievances.

Mr. Lancaster, from the committee on private bills, to whom was referred a bill to emancipate Betty, a slave, and a bill to emancipate Abram, a slave, reported the same back to the House, and recommended that they do not pass.

The resolution submitted by Mr. Smith on yesterday, to amend the rules of order, was taken up, and

Mr. S. A. Williams moved that it be laid upon the table, which motion was lost.

The question recurring upon the passage of the resolution, it was rejected.

The resolution submitted by Mr. Whitlock on Saturday, proposing to hold evening sessions, was taken up, and

On motion by Mr. Amis, laid upon the table.

Mr. J. H. Headen moved to take up the resolution heretofore submitted by him and reported upon, instructing the committee on the judiciary to inquire into the expediency of abolishing imprisonment for debt, and that the same be recommitted.

On motion by Mr. Singeltary, the motion was laid upon the table.

Mr. S. A. Williams presented the following resolution, which was read and adopted:

Resolved, That the principal of the deaf and dumb asylum in this city, (Raleigh) be requested to furnish to both Houses of this General Assembly a statement of all the funds which have been appropriated and received by him for the use of said asylum, and also in what manner said funds have been disbursed.

Mr. Gilliam presented a joint resolution requesting presidents and directors of canals, railroads, plankroads and turnpikes to keep an account of all the products of this State intended for sale abroad transported by them, and to report the same to the Governor of the State upon every assembling of the Legislature, which was read, adopted and ordered to be engrossed and transmitted to the Senate.

Mr. L. Whitfield submitted the following resolution, which was read and adopted:

Resolved, That the committee on the revisal of the Statutes be directed to take under consideration the propriety of amending the patrol law of this State, so as to compel the county courts to appoint patrol committees, and to strike out that clause of the S3d chapter of the Revised Statutes which reads, "if the court deem it necessary," and report by bill or otherwise.

On motion by Mr. Whitaker, a resolution in favor of Wm. H. High was taken up, read the second time and passed.

Received from the Senate a message concurring in the proposition of the House to print the statements of the Commercial Bank of Wilmington, of the Bank of the State of North Carolina, and the communication from the public treasurer with the accompanying bank exhibits.

Also a message informing that Messrs. Ashe, Coleman and Davis compose the Senate branch of the committee on enrolled bills.

Mr. A. H. Caldwell introduced a bill to amend an act entitled an act to provide for holding a session of the supreme court once a year in the western part of the State, which was read the first time and passed, and on his motion, referred to the committee on the Revised Statutes.

Mr. Stubbs, a bill to amend an act entitled an act to prevent the obstruction of the passage of fish in the waters of Blount's creek and its tributary streams, which was read the first time and passed.

Mr. Myers, a bill to amend the charter of the Charlotte and South Carolina Railroad Company, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Baxter, a bill to incorporate the East Fork Turnpike Company; and

A bill to incorporate the Little River Turnpike Company, which were severally read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Phillips, a bill to amend an act defining the duties and powers of turnpike and plank road companies was taken up, read the third time, passed and ordered to be engrossed.

On motion by Mr. Lyon, a bill to increase the pay of jurors was taken from the table and referred to the committee on the judiciary.

On motion by Mr. Shepherd, a bill to repeal the 117th chapter of the Revised Statutes, entitled an act to restrain the taking of excessive usury was taken up and referred to the committee on the judiciary.

Mr. Gilliam presented the following resolution, which was read and adopted:

Resolved, That the committee on the Revised Statutes be instructed to inquire into the expediency of so amending the registry

laws as to allow certified copies of deeds proved and registered in this State before the year 1820, to be admitted to registration in any county in this State in which lands described in said deeds lie.

Mr. Walser submitted the following resolution, which was read and adopted:

Resolved, That the committee on the deaf and dumb asylum be instructed to call on Wm. D. Cooke, the present instructor of that institution, for the information hereafter named, to wit: how long he has been in charge of said institution, and how many pupils have been taught in the same each year? their names, and what counties they are from? how long each pupil has been taught in said institution, and at what time he, she or they commenced study, and at what time they left the same? also, how many were county charges and how many were paying pupils? also, what amount of money has been retained out of the common school fund for said purpose? the counties and dates of such sums so retained? also, the salaries allowed said Cooke and his assistants for each separate year? also, what has been charged for boarding each student per year? All of which is requested up to the present date.

Further resolved, That said committee have full power to call for persons and papers and report to the House at the earliest day possible.

Mr. Waugh presented the following resolution, which was read and adopted:

Resolved, That the committee on the revisal, be instructed to enquire into the expediency of amending sections 2d and 3d, chapter 24th, Revised Statutes, so to provide that hereafter all elections of constables in this State, shall be biennial instead of annual, and that they report by bill or otherwise.

Mr. McDuffie introduced a bill to exempt persons from military duty who served in the late war with Mexico, which was read the first time, passed, and referred to the committee on military affairs.

Mr. Phillips, a bill to establish the competency of certain evidence, which was read the first time, passed, referred to the committee on the judiciary, and ordered to be printed.

Mr. J. M. Leach, a bill to amend and continue in force an act to incorporate the Yadkin Navigation Company, chapter 65,

Statute 1850-'51, and to authorize a subscription of stock on the part of the State, which was read the first time, passed, and referred to the committee on internal improvements.

Mr. Phillips, a bill to give courts of law jurisdiction over sales of real and personal property belonging to wards, and

A bill to facilitate the decision of controversies arising at law upon sealed and other contracts, which were severally read the first time, passed, and referred to the committee on the judiciary.

On motion by Mr. Humphrey, a bill to incorporate a company to construct a railroad from some point on the waters of Beaufort Harbor to Fayetteville, was taken up, and referred to the committee on internal improvements.

On motion by Mr. Roland, a bill to repeal a portion of the 2d section of the 16th chapter of the Revised Statutes, entitled an act concerning the burning of woods, was taken up, and referred to the committee on private bills.

On motion by Mr. Singeltary, the House adjourned to to-morrow morning 10 o'clock.

TUESDAY, DECEMBER 12, 1854.

Mr. Shipp presented a memorial from the grand jury of Rutherford county, praying a change in the sixth and seventh judicial circuits.

Also a memorial from the same body, praying legislative enactment limiting prosecutions for small and trivial offences, and for protection of the counties against the payment of costs for the conviction of insolvent offenders; which were severally read, and referred to the committee on the judiciary.

Mr. Baxter presented a memorial from citizens of Henderson county, praying the abolition of the traffic in intoxicating liquors;

Mr. Dargan, a like memorial from citizens of Anson county;

Mr. Selby, a like memorial from citizens of Hyde county; which were severally referred to the committee on propositions and grievances.

Mr. J. H. Headen presented a petition, asking the appointment of certain persons justices of the peace for the county of Chatham; which, on motion by Mr. Outlaw, was laid upon the table.

Mr. J. Barnes, from the committee on propositions and griev-

ances, to whom was referred a bill (accompanied by a memorial) to establish a new county by the name of Wilson, reported a substitute therefor; which was read the first time and passed.

Mr. Waugh, from the same committee, reported favorably upon a bill to encourage the killing of Wolves in Jackson county; and unfavorably on

A bill to establish a new county by the name of Graham; and A bill to amend the statute in relation to attorneys at law.

Mr. L. Whitfield moved that the latter bill be referred to the committee on the judiciary; and

On motion by Mr. Jenkins, the motion to refer was laid upon the table.

Mr. Waugh, from the same committee, reported adversely upon the memorial from sundry citizens of Sampson county, praying the passage of a law prohibiting the sale of intoxicating liquors within two miles of the Clinton Female Institute; which report was concurred in.

Mr. Settle, from the committee on claims, to whom was referred the engrossed resolution in favor of W. W. Holden and Jno. H. DeCarteret, reported the same back to the House, and recommended its passage.

Mr. Shepherd presented the following resolution; which was read and adopted:

Resolved, That a message be sent to the Senate, proposing to refer so much of the Governor's message as relates to the University to a joint select committee, to consist of five members of the House of Commons and three of the Senate, with instructions to inquire into the condition of the institution, and to report what measures can be adopted, to increase its usefulness and promote its prosperity.

Mr. Jenkins presented a resolution in favor of Thomas I. Judkins, late sheriff of Warren county; which was read the first time and passed, and referred to the committee on claims.

Mr. Bogle presented a resolution in favor of Reuben Watts, sheriff of Alexander county; which was read the first time and passed, and referred to the committee on claims.

Mr. Baxter introduced a bill to incorporate the French Broad Railroad Company; which was read the first time and passed, and referred to the committee on internal improvement.

Mr. Sherrill, a bill to incorporate the town of Newton, in the county of Catawba; which was read the first time and passed, and referred to the committee on corporations.

Mr. Oglesby, a bill to confirm a grant in favor of William J. Potter and Joseph P. Robertson.

Also a bill to confirm a grant in favor of William F. Bell and Belcher Fuller; which were read the first time and passed, and referred to the committee on private bills.

Mr. Vance, a bill to incorporate the Holsten Conference Female College, in the town of Asheville; which was read the first time and passed, and referred to the committee on corporations.

Mr. Smith, a bill concerning free negroes; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Shepherd, a bill to alter and amend an act passed by the General Assembly, at the session of 1848-'49, entitled an act to incorporate the Fayetteville and Western Plankroad Company; which was read the first time and passed, and referred to the committee on internal improvements.

Mr. N. B. Whitfield introduced a bill to prevent the felling of timber in the North East river, in Duplin county; which was read the first time and passed, and referred to the committee on private bills.

Mr. Myers, a bill to incorporate a Mutual Fire Insurance Company, in the town of Charlotte; which was read the first time and passed, and referred to the committee on corporations.

Received from the Senate a message, transmitting the following engrossed bills, in which they ask the concurrence of the House:

A bill concerning burning woods and hunting; and

A bill to compensate the wardens of the poor of Mecklenburg county.

The Speaker laid before the House a communication from Warren Winslow, Speaker of the Senate, and acting Governor, informing the General Assembly that there are now four vacancies in the board of trustees of the University.

On motion by Mr. Singeltary, the same was transmitted to the Senate.

The House now proceeded to the consideration of bills on their second reading; and

A bill to authorize the formation of limited partnership was taken up, and on motion by Mr. Steele, referred to the committee on the judiciary.

A bill to incorporate the Chatham Railroad Company was read the second time and passed.

A bill to provide for the improvement of the road leading from Wilkes county line, by way of Meat Camp Creek to the Tennessee line, at or near Wilkes' Store, was read the second time, and Mr. Horton submitted the following amendment; which was adopted:

Strike out the words, "top of the Laurel Spur of the Blue Ridge," and insert "Wilkes county line."

The bill, as amended, passed its second reading.

A bill to establish a new county, by the name of Aleghany was read the second time, and pending the consideration thereof, Mr. Dortch moved that this House do now adjourn; which motion was lost: yeas 29, nays S3.

The yeas and nays were demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Bogle, J. G. Bynum, J. B. Bynum, D. F. Caldwell, Dargan, Dortch, Eure, Gorrell, J. H. Headen, Humphrey, Jarvis, Johnson, Mann, McDuffie, Mebane, Outlaw, Parks, Patton, Rand, Shipp, Shaw, Sharpe, Singeltary, Smith, Vance, Walser and Winston—29.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, A. Barnes, Badham, Black, Blow, Bryson, Bryant, Bullock, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cotten, Cook, Craven, Daniel, Daughtry, Davenport, Dunn, Flynt, Furr, Garland, Gentry, Gilliam, M. Green, A. D. Headen, Holland, Horton, Houston, Jenkins, Jones, Jordan, Lancaster, J. M. Leach, H. Leach, Long, Love, Lyon, March, Martin, McMillan, McKesson, Meares, Mordecai, Myers, S. J. Neal, J. W. Neal, Norment, Oglesby, Patterson, Perkins, Phillips, Regan, Roland, Rose, Russell, Settle, Shepherd, Sherill, Simmons, Smallwood, Stubbs, Steele, Thornburg, Tombinson, Turner, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, Wilkins, B.

F. Williams, S. A. Williams, C. W. Williams, D. Williams, Wright, and Yancey—83.

So the House refused to adjourn, and Mr. Jones, submitted the following amendment to the bill:

Be it further enacted, That provision shall hereafter be made for ascertaining the federal population within the proposed boundaries of said county, Alleghany, and if it shall be ascertained that said county does not contain the one hundred and twentieth part of the federal population of the State, that this act shall be null and void; which was rejected.

Mr. Amis, moved that this House do now adjourn; which motion was lost, and Mr. Singeltary submitted the following amendment:

Be it further enacted, That this act shall continue in force until the next taking of the census, and no longer, unless it shall then appear that the one hundred and twentieth part of the federal population of the State is contained within the limits of the said county of Allegany.

Mr. Myers moved to lay the amendment upon the table; which motion was lost: yeas 34, nays 77.

The yeas and nays demanded by Mr. Phillips.

Those who voted in the affirmative, were,

Messrs. Amis, Bogle, A. H. Caldwell, Chadwick, Dargan, Daniel, Davenport, Dortch, Eure, Gilliam, Gorrell, J. H. Headen, Humphrey, Jarvis, Johnson, Jones, March, Martin, Mann, Mebane, Mordecai, Myers, Outlaw, Perkins, Phillips, Rand, Selby, Simmons, Stubbs, Turner, J. H. White, Whitaker, Winston, and S. A. Williams—34.

Those who voted in the negative, were,

Messrs. J. Barnes, A. Barnes, Barringer, Baxter, Badham, Black, Blow, Bryson, Bryant, Bullock, J. G. Bynum, J. B. Bynum; D. F. Caldwell, Cansler, Carmichael, Cofield, Cotten, Cook, Craven, Daughtry, Dunn, Flynt, Furr, Garland, Gentry, M. Green, A. D. Headen, Holland, Horton, Houston, Jenkins, Jordan, J. M. Leach, Hugh Leach, Long, Love, Lyon, McMillan, McKesson, McDuffie, Meares, S. J. Neal, J. W. Neal, Norment, Patterson, Parks, Patton, Regan, Roland, Rose, Russell, Settle, Shepherd, Shipp, Shaw, Sharpe, Sherrill, Singeltary, Smith, Smallwood, Steele, Thornburg, Tomlinson, Vance, Walser, Waugh, Watts,

G. M. White, N. B. Whitfield, L. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, Wright, and Yancey—77.

On motion by Mr. Houston, the House adjourned to to-morrow morning, 10 o'clock.

WEDNESDAY, DECEMBER 13, 1854.

The House resumed the consideration of the unfinished business of yesterday, being the bill to establish a new county by the name of Alleghany, and the pending amendment.

Mr. Martin moved to lay the bill and amendment on the table,

and the House refused to lay on the table.

Mr. Outlaw raised a point of order.

The Chair decided, under the rules, the unfinished business of the previous day has preference over all other business, from which

Mr. Outlaw appealed to the House, and the House decided, that the decision of the Chair should stand as the decision of the House.

The pending amendment was then read, and

Mr. Gorrell offered an amendment to the amendment: add—
"And also in the county of Ashe;" which was disagreed to.

Mr. Waugh then offered an amendment to the amendment, to, strike out "next taking of the census," and insert, "next apportionment of members of the General Assembly;" which was rejected.

The question then recurring upon the adoption of the pending amendment,

Mr. Steele demanded the yeas and nays; which were ordered, and the amendment was rejected; yeas 34, nays 80.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, Blow, Bryant, J. B. Bynum, Cansler, Cofield, Daniel, Daughtry, Eure, Gilliam, Houston, Humphrey, Jarvis, Jenkins, Mann, McDuffie, Meares, Myers, J. W. Neal, Oglesby, Outlaw, Shepherd, Singeltary, Smith, Smallwood, Stubbs, Steele, Sutton, J. H. White, Winston, T. H. Williams, S. A. Williams, and D. Williams—34.

Those who voted in the negative, were,

Messrs. A Barnes, Barringer, Baxter, Badham, Bogle, Bryson, Bullock, J. G. Bynum, D. F. Caldwell, A. H. Caldwell, Carmichael, Chadwick, Cotten, Cooke, Craven, Dargan, Davenport,

Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Harrison, J. H. Headen, A. D. Headen, Holland, Horton, Johnson, Jones, Jordan, Lancaster, J. M. Leach, Hugh Leach, Long, Love, Lyon, March, Martin, McMillan, McKesson, Mebane, Mordecai, Norment, Patterson, Parks, Patton, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle Shipp, Shaw, Sharpe, Sherre Simmons, Thornburg, Tomlinson, Turner, Vance, Walser, Waugh, Watts, G. M. White, N. B. Whitfield, L. Whitfield, Whitaker, Whitlock, Wilkins, B. F. Williams, C. W. Williams, Wright, and Yancey—80.

Mr. J. B. Bynum, offered the following amendment:

The bill shall be of no effect, unless at the next apportionment for members of the House of Commons, the counties of Ashe and Alleghany shall together have a population sufficient to entitle them to two members of the House of Commons.

Mr. Amis then moved to recommit the bill, and

Mr. Martin moved to lay the motion on the table.

The House refused to lay on the table.

The question then recurring on the motion to recommit, it was disagreed to.

Mr. Bynum then, by leave, withdrew his amendment; and

Mr. Dargan moved to lay the bill on the table, and

Mr. S. A. Williams demanded the yeas and nays; which were ordered, and the motion decided in the negative; yeas 39, nays 74.

Those who voted in the affirmative, were,

Messrs. Amis, D. F. Caldwell, A. H. Caldwell, Chadwick, Cotten, Craven, Dargan, Daniel, Dortch, Eure, Gilliam, Gorrell, Harrison, J. H. Headen, Houston, Humprey, Jarvis, Jenkins, Jones, March, Martin, Mann, Meares, Mordecai, Myeres, Outlaw, Perkins, Phillips, Rand, Simmons, Smith, Stubbs, Thornburg, Turner, J. H. White, L. Whitfield, Whitaker, Wilkins, and Winston—39.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Barringer, Baxter, Badham, Black, Blow, Bogle, Bryson, Bryant, Bullock, J. G. Bynum, J. B. Bynum, Cansler, Carmichael, Cofield, Cook, Daughtry, Davenport, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Holland, Horton, Johnson, Jordan, Lancaster, J. M. Leach, Hugh Leach, Long, Love, Lyon, McMillan, McDuffie, M. Kesson, J. W. Neal, Norment, Oglesbee, Patterson, Parks, Patton,

Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Shipp, Shaw, Sharpe, Sherrell, Singeltary, Smallwood, Steele, Sutton, Tomlinson, Vance, Walser, Waugh, Watts, G. M. White, N. B. Whitfield, Whitlock, B. F. Williams, T. H. Williams, S. A. Williams, C. W. Williams, D. Williams, Wright and Yancey—74. So the House refused to lay on the table.

Mr. J. M. Leach offered the following amendment:

And be it further enacted, That this act shall be in force from and after its ratification, and remain in force until the next session of the Legislature, after the taking of the census of the year 1870, to become void and of no effect, nevertheless, if at the next apportionment of representation after the census of 1870, there shall not be a federal population in said county, equal to the one hundred and twentieth part of the federal population of the State; to which

Mr. Jenkins offered the following:

And also the county of Ashe shall have the one hundred and twentieth part of the federal population of the State; which was rejected; and

Mr. J. M. Leach, by leave, withdrew his amendment.

The question then recurred on the passage of the bill on its second reading.

Mr. Steele demanded the yeas and nays, which were ordered, and the bill was rejected; yeas 52, nays 61.

Those who voted in the affirmative, were,

Messrs. J. Barnes, A. Barnes, Barringer, Baxter, Black, Bogle, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Chadwick, Cofield, Cotten, Cook, Daughtry, Dunn, Flynt, Furr, Garland, Gentry, Holland, Horton, Jordan, Lancaster, J. M. Leach, Love, McMillan, McKesson, McDuffie, J. W. Neal, Norment, Patterson, Parks, Patton, Regan, Roland, Settle, Sharpe, Sherrill, Tomlinson, Vance, Walser, Waugh, Watts, J. H. White, Whitlock, T. H. Williams, C. W. Williams, D. Williams and Wright—52.

Those who voted in the negative, were,

Messrs. Amis, Badham Bryant, J. B. Bynum, D. F. Caldwell, A. H. Caldwell, Craven, Dargan, Daniel, Davenport, Dortch, Eure, Gilliam, Gorrell, M. Green, Harrison, J. H. Headen, A. D. Headen, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones,

H. Leach, Long, Lyon, March, Martin, Mann, Meares, Mebane, Mordecai, Myers, Oglesby, Outlaw, Perkins, Rand, Rose, Russell, Selby, Shepherd, Shipp, Shaw, Singeltary, Simmons, Smith, Smallwood, Stubbs, Steele, Sutton, Thornburg, Turner, G. M. White, N. B. Whitfield, Whitaker, Wilkins, Winston, B. F. Williams and S. A. Williams—61.

Received from the Senate a message concurring in the proposition of the House to raise a joint select committee of three on the part of the Senate and five on the part of the House, to take into consideration that portion of the Governor's message relating to the university, and informing that Messrs. Graham, Person and Ashe form the Senate branch of the committee.

Whereupon the Chair appointed Messrs. Shepherd, Barringer, J. G. Bynum, Outlaw and Lyon on the part of the House, and the Senate was informed thereof by message.

The Chair announced that the hour had arrived to consider the special order of the day, it being the bill to incorporate the Wilmington and Charlotte Railroad Company, which was read the second time, and

On motion of Mr. Steele, laid on the table.

Mr. Stubbs presented a memorial praying the passage of a law abolishing jury trials at the first and third terms of the county court of Beaufort county, which on his motion was referred to the committee on propositions and grievances.

Mr. Selby presented a memorial praying the passage of an act allowing the county courts of Hyde county to be held on the fourth Mondays of March, June, September and December, which was referred to the committee on the judiciary.

Mr. Dortch, from the committee on the judiciary, to whom was referred the bill to increase the pay of jurors, reported the same back to the House and recommended that it do not pass, as the committee have heretofore reported a bill embracing in effect the same provisions, which was received, and

On motion of Mr. Smith, laid on the table.

Mr. Dortch, from the same committee, reported unfavorably upon

The bill in relation to county courts;

The bill to give courts of law jurisdiction over sales of real and personal property belonging to wards; and

The bill to establish the competency of certain evidence.

Mr. Cansler, from the committee on internal improvements, to whom was referred the bill to amend the charter of the Charlotte and South Carolina Railroad Company, reported favorably and recommended its passage.

Mr. Amis introduced a resolution in favor of William Gilliam, of Granville county, which was read the first time, passed and referred to the committee on claims.

Mr. Martin, a resolution in favor of W. W. Green and L. A. Jeffreys, which was read the first time, passed and referred to the committee on claims.

Mr. Dortch offered the following resolution:

Resolved, That this General Assembly will adjourn on the 15th day of January, proximo, to meet in the town of Asheville, Buncombe county, on the first Monday in June next.

Which on his motion was laid on the table.

Mr. J. G. Bynum introduced the following resolution:

Resolved, That the 13th rule of order be amended so as to read thus: "The unfinished business in which the House was engaged at the last preceding adjournment shall have precedence of the orders of the day, and all other business except the regular morning business as set forth in the preceding rule. All elections by the House shall be viva voce, unless there be but one nominee, in which case appointments may be made on motion, and on such occasions the roll shall be called a second time for absentees before the result is announced."

Which under the rule lies over one day.

Mr, Stubbs introduced a bill to tax non-residents selling goods, wares and merchandise by sample in this State, which was read the first time, passed, and referred to the committee on finance.

Mr. Selby, a bill to alter the time of holding the courts of pleas and quarter sessions in the county of Hyde, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. T. H. Williams, a bill to incorporate the Wilmington Steam Tug Company, which was read the first time, passed, and referred to the committee on corporations.

Mr. J. G. Bynum, a bill to authorize the business of banking, which was read the first time and passed; and on his motion, referred to the committee on banking, and ordered to be printed.

Mr. Thornburg, a bill for the better regulation of the town of Franklinville, in the county of Randolph, which was read the first time, passed, and referred to the committee on corporations.

On motion by Mr. Dortch, the bill to divide the State into nine judicial circuits, was taken up, and made the special order of the day for Friday next at 11 o'clock.

Mr. Horton introduced a bill concerning public roads in the county of Watauga, which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Dargan moved that this House do now adjourn, upon which Mr. Shepherd demanded the yeas and nays, which were ordered, and determined in the negative: yeas 36, nays 53.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, Bryant, J. G. Bynum, A. H. Caldwell, Chadwick, Cotten, Dargan, Davenport, Harrison, Humphrey, Jones, J. M. Leach, McDuffie, Meares, Mebane, Mordecai, Outlaw, Rand, Selby, Shipp, Singeltary, Simmons, Steele, Sutton, Turner, Vance, N. B. Whitfield, Whitaker, Wilkins, Winston, B. F. Williams, T. H. Williams and S. A. Williams—36.

Those who voted in the negative, were,

Messrs. J. Barnes, Bryson, J. B. Bynum, D. F. Caldwell, Carmichael, Cofield, Cook, Craven, Daughtry, Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, J. H. Headen, A. D. Headen, Holland, Horton, Houston, Jarvis, Jenkins, Johnson, Jordan, Lancaster, H. Leach, Long, Lyon, March, Martin, McMillan, McKesson, Mann, Myers, J. W. Neal, Norment, Oglesby, Patterson, Phillips, Regan, Roland, Russell, Settle, Shepherd, Shaw, Sherrill, Smith, Smallwood, Stubbs, Thornburg, Tomlinson, Walser, Waugh, Watts, G. M. White, J. H. White, L. Whitfield, Whitlock, C. W. Williams, D. Williams and Wright—53.

So the House refused to adjourn.

Mr. Phillips asked to be excused from the committee on corporations and the committee on the deaf and dumb, being on two other standing committees, and he was excused.

Mr. J. G. Bynum introduced a bill concerning trial in capital cases, which was read the first time, passed, and referred to the committee on the judiciary.

On motion of Mr. Houston, the bill and report to establish a new county by the name of Wilson, was taken up, and re-committed to the committee on propositions and grievances.

On motion of Mr. Dortch, the House adjourned till to-morrow morning 10 o'clock.

THURSDAY, DECEMBER 14, 1854.

Mr. Patterson presented a memorial from the stockholders of the Caldwell and Watauga Turnpike Company, praying an amendment to their charter, which was read and referred to the committee on internal improvements.

Mr. McKesson presented a memorial, praying the passage of a law prohibiting the traffic in intoxicating liquors;

Mr. Norment, a like memorial from citizens of Robeson county; Mr. J. G. Bynum, a like memorial from citizens of Rutherford county;

Mr Whitlock, a like memorial from citizens of Surry county;

Mr. H. Leach, a like memorial from citizens of Moore county; Which were severally referred to the committee on propositions and grievances.

Mr. T. H. Williams, a memorial from citizens of New Hanover county, praying for the passage of a general mechanic's lien law, which was read and referred to the committee on the judiciary.

Mr. C. W. Williams, a memorial from the grand jury of Yadkin county, praying an alteration in the 6th and 7th judicial circuits, which was referred to the committee on the judiciary.

Resignations from the following justices of the peace, were read and accepted, viz:

William Gaddy of Anson county; G. Sloan and John Maxwell of Duplin county; Whittington Davis of Carteret county.

The same were transmitted to the Senate.

Mr. Dortch, from the committee on the judiciary, to whom the bill to prohibit the sale of spirituous liquors &c., to free persons of color, was referred, reported a substitute therefor, and recommended its passage; which was read the first time and passed.

Mr. Dortch from the same committee, reported favorably;

The bill to facilitate the decision of controversies, arising at law upon sealed and other contracts; and recommended its passage.

The resolution introduced by Mr. J. G. Bynum, on yesterday, to alter the 13th rule of order, was taken up and adopted.

Mr. Love offered the following resolution, which was rejected:

Resolved, That the committee on propositions and grievances
be instructed to enquire into the expediency of erecting a new
county out of portions of Haywood and Buncombe, to be called
Mount Pisgah; report by bill or otherwise.

Mr. Roland introduced a resolution in favor of the Mount Pleasant Academy, in the town of Murphy, Cherokee county; which was read the first time, passed, and refered to the committee on education.

Mr. Patterson introduced the following resolution, which was read and adopted.

Resolved, That the acting Governor of the State, be requested to communicate to this House, a copy of any contract that may have been entered into by Governor Reid with Professor Emmons, under an act of the General Assembly, passed at the session of 1850, authorising a geological and mineralogical survey of the State, if such a contract is to be found on file in the Executive office.

Mr. Carmichael introduced a bill to amend the 6th section of an act passed at the session of the General Assembly of 1852, entitled an act to encourage agriculture, domestic manufactures, and the mechanic arts; which was read the first time, passed, and referred to the committee on agriculture.

Mr. J. H. Headen, a bill to amend an act, entitled an act to increase the revenue of the State; which was read the first time, passed and referred to the committee on finance.

Mr. Shipp, a bill to incorporate the Broad River Railroad Company; which was read the first time, passed, and referred to the committee on internal improvement.

Mr. Baxter, a bill accompanied by a memorial, to lay off and establish a new county by the name of Ruffin; which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Love, a bill exempting certain persons in Haywood county,

from doing military duty; which was read the first time, passed, and referred to the committee on military affairs.

Mr. Gorrell, a bill to incorporate the Guilford Gold and Copper Mining Company; which was read the first time, passed, and referred to the committee on corporations.

Mr. T. H. Williams, a bill to secure architects and mechanics compensation for labor and materials, in the county of New Hanover; and also, a bill for the relief of ship carpenters and other mechanics; which were severally read the first time, passed, and referred to the committee on the judiciary.

Mr Lancaster, a bill to prevent the felling and putting timber in Haw River and the Great Alamance River, in the county of Alamance; which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Mebane, a bill concerning Haw River, in Alamance county; which was read the first time, passed, and referred to the committee on propositions and grievances.

The Chair announced the following committees on corporations: in place of Mr. Phillips, Mr. Lyon is substituted; on Deaf and Dumb Assylum, in place of Mr. Phillips, Mr. Chadwick is substituted.

On motion by Mr. Shipp,

Ordered, That a message be sent to the Senate proposing to ballot for four trustees of the University, this day at half past 11 o'clock.

Mr. Houston moved to reconsider the vote by which the bill to establish a new county by the name of Allegany, was rejected; and

Mr. J. M. Leach moved to lay the motion on the table: There-upon,

Mr. Amis demanded the yeas and nays; which were ordered and taken: yeas 58, nays 56.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryson, Bryant, J. B. Bynum, J. G. Bynum, Carmichael, Cotten, Cook, Dunn, Flynt, Furr, Garland, Gentry, G. Green, M. Green, Hill, Holland, Horton, Houston, Jenkins, Jordan, J. M. Leach, H. Leach, Love, McMillan, McKesson, Meares, S. J. Neal, J. W. Neal, Norment, Patterson, Parks, Patton, Regan,

Roland, Settle, Shipp, Shaw, Sharpe, Sherrill, Singeltary, Tomlinson, Vance, Walser, Waugh, Watts, Whitaker, Whitlock, T. H. Williams, D. Williams, C. W. Williams and Yancey—58.

Those who voted in the negative, were,

Messrs. Amis, Badham, Bullock, A. H. Caldwell, Chadwick, Cofield, Craven, Dargan, Daniel, Davenport, Dortch, Eure, Gilliam, Gorrell, J. H. Headen, A. D. Headen, Humphrey, Jarvis, Johnson, Jones, Lancaster, Long, Lyon, March, Martin, Mann, McDuffie, Mebane, Mordecai, Myers, Oglesby, Outlaw, Perkins, Phillips, Rand, Rose, Russell, Selby, Shepherd, Simmons, Smith, Smallwood, Stubbs, Steele, Sutton, Thornburg, Turner, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Wilkins, Winston, B. F. Williams, S. A. Williams, and Wright—56.

Received from the Senate a message concurring in the proposition to ballot for four trustees of the university this day at 11 o'clock, and informing that Messrs. Graves and McClees form the Senate branch of the committee to superintend the balloting.

Thereupon the Chair appointed Messis. Chadwick and Bryant on the part of the House, and the Senate was informed thereof by message; and that the names of Messis. Ralph Gorrell, Jesse B. Shepherd, James H. Dixon, Wm. T. Dortch, James L. Gaines, Joseph B. Cherry, Warren Winslow, Richard H. Smith, H. B. Elliott, Jno. P. Jordan, David T. Tayloe, Nath'l. Roane, Samuel F. Phillips, J. G. Bynum and Geo. D. Baskerville were in nomination.

The hour having arrived to go into said ballot, the House proceeded to ballot accordingly.

Mr. Craven introduced a bill to prevent the felling of timber in Big Brush creek, in Randolph county, which was read the first time, passed and referred to the committee on private bills.

Mr. Vance introduced a resolution in favor of Holston Conference Female College, which was read the first time, passed and referred to the committee on education.

On motion of Mr. Shepherd, the House proceeded to the consideration of bills on their second reading; and

A bill to incorporate the Wacamaw Canal and Lumber Company was read the second time and passed.

A bill to amend an act entitled an act to prevent the obstruction

of the passage of fish in the waters of Blount's creek and its tributary streams, was read the second time and passed.

A bill to aid in the opening and improving of the road across the Blue Ridge, at Fisher's Gap, was read the second time, upon the passage of which

Mr. Martin demanded the yeas and nays, which were accordingly ordered and taken, and the bill was rejected; yeas 33, nays 70.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, Cansler, Carmichael, Flynt, Garland, Gentry, J. F. Hill, Horton, Houston, Humphrey, J. M. Leach, McDuffie, Mebane, S. J. Neal, Norment, Oglesby, Patterson, Patton, Regan, Roland, Settle, Shepherd, Shipp, Sherrill, Steele, Sutton, Whitlock and C. W. Williams—33.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Badham, Blow, Bullock, J. B. Bynum, A. H. Caldwell, Cofield, Cotten, Craven, Dargan, Daniel, Daughtry, Davenport, Dortch, Dunn, Furr, M. Green, Harrison, J. H. Headen, A. D. Headen, Holland, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, March, Martin, McMillan, McKesson, Mann, Meares, Mordecai, Myers, J. W. Neal, Perkins, Phillips, Rand, Rose, Selby, Shaw, Sharpe, Singeltary, Simmons, Smith, Smallwood, Stubbs, Thornburg, Tomlinson, Turner, Vance, Walser, Waugh, Watts, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Wilkins, Winston, B. F. Williams, Thos. H. Williams, S. A. Williams, Wright and Yancey—70.

The bill to give to the county and superior courts of Mecklenburg jurisdiction over the sale of real estate for division amongst joint tenants and tenants in common, was read the second time; when

Mr. Phillips offered an amendment to strike out all after the enacting clause and insert the following:

"That all cases mentioned in the seventh, eighth, ninth, tenth, and eleventh sections of the eighty-fifth chapter of the Revised Statutes of North Carolina, shall be subject to the jurisdiction of the courts of law also, in the same manner and to the same extent that they now are to that of courts of equity.

"Sec. 2. The sales ordered in pursuance of such petitions, shall be made by the sheriff of the county in which the petition is filed, and he shall, for such service, be allowed a sum not exceeding one per cent. upon the sum realized thereby.

"Sec. 3. The better to effect the purposes of this act, the courts to which jurisdiction is hereby given, are hereby authorized and directed to take notice of and administer the various equities affecting the parties to such petitions; the purchasers of the land and the sureties to the bonds for the purchase money; together with all others that may be incidental to the proceedings, that are now recognized and enforced in the courts of equity.

"Sec. 4. This act shall be in force from and after its ratification."

To which amendment Mr. Stubbs offered the following:

Strike out the words "courts of pleas and quarter sessions" wherever they occur.

Which amendment was accepted.

Thereupon Mr. Baxter moved to recommit the bill and amendment to the committee on the revisal of the Statutes, which was agreed to.

On motion of Mr. Dortch, the House adjourned to to-morrow morning, 10 o'clock.

FRIDAY, DECEMBER 15, 1854.

Received from the Senate a message proposing to raise a joint select committe of two on the part of the Senate and three on the part of the House, to consider the subject of establishing a marine hospital at the town of Wilmington.

Also to raise a joint select committee of three on the part of the Senate and five on the part of the House, to consider that portion of the Governor's message relating to the erection of a monument in Independence square, Philadelphia, to the signers of the declaration of independence, which was concurred in.

Thereupon the Chair announced the following committees on the part of the House:

On the marine hospital:—Messrs. T. H. Williams, Baxter and Chadwick.

On monuments in Independence square:—Messrs. Lyon, Wilkins, A. D. Headen, H. Leach and Cofield.

And the Senate was informed thereof by message.

Mr. McMillan presented a memorial from citizens of New Hanover county, praying the passage of a law abolishing the traffic in infoxicating liquors;

Mr. Smith, a like memorial from citizens of Halifax county;
Mr. Sutton, a like memorial from citizens of Lenoir county;
and

Mr. Vance, a like memorial from citizens of Buncombe county, which were severally referred to the committee on propositions and grievances.

Mr. Horton presented a memorial to change the county lines of Caldwell and Watauga counties, which was referred to the committee on propositions and grievances.

Mr, Lancaster presented memorials from citizens of Alamance county, praying the passage of a law to prevent the felling of timber in Haw River and the Great Alamance river, in the county of Alamance, which were referred to the committee on propositions and grievances.

Mr. Bryant, from the committee to superintend the balloting for trustees of the university, reported that no one of the gentlemen in nomination had received a majority of votes given, except John G. Bynum, and he was duly elected; which was concurred in.

Mr. T. H. Williams, from the committee on education, to whom was referred the bill to distribute the common school fund among the several counties in the State in the ratio of their white population, reported the same back to the House, and recommended that it do not pass.

Mr. T. H. Williams, from the same committee, to whom was referred the resolution authorizing the literary board to loan Laurinburg High School, in Richmond county, two thousand dollars, reported the same back to the House, with an amendment, and recommended its passage.

Mr. T. H. Williams, from the same committee, to whom was referred the resolution in favor of Mount Pleasant Academy, in the town of Murphy, in the county of Cherokee, reported the same back to the House, with an amendment, and recommended its passage.

Mr. T. H. Williams, from the same committee, to whom was

referred the resolution in favor of Holston Conference Female College, reported the same back to the House, with an amendment, and recommended its passage.

Mr. Dortch, from the committee on the revisal of the Statutes, to whom was referred the bill to amend an act, entitled an act to provide for holding a session of the supreme court once a year in the western part of the State, reported the same back to the House, stating that said committee have in substance made the amendments proposed in the revised code; which was received and laid on the table.

Mr. Dortch, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending sections 2d and 3d, chapter 24, Revised Statutes, so as to provide that hereafter all elections of constables in this State shall be biennial instead of annual, reported that it is inexpedient to make said amendments, and asked to be discharged from further consideration of the same, which was concurred in.

Mr. Dortch, from the same committee, who were instructed to enquire into the propriety of allowing or requiring guardians and trustees to invest the funds of their wards in the bonds of the State of North Carolina, reported that further legislation is not necessary, and asked to be discharged; which was concurred in.

Mr. Lancaster, from the committee on private bills, to whom was referred the bill to regulate the number of justices of the peace for the county of Randolph, reported the same back to the House, with an amendment to the title thereof, and recommended its passage.

Mr. Lancaster, from the same committee, to whom was referred the bill to amend an act, entitled an act for the better regulation of the town of Greenville, passed at the session of 1838-'39, chapter 44, reported the same back to the House, and recommended its passage.

Mr. Lancaster, from the same committee, to whom was referred the memorial of H. L. Myrover and others, for the emancipation of Thomas, a slave;

Also the memorial of Thos. S. Lutterloh and others, for the emancipation of Isham, a slave, reported the same back to the House, and recommended their prayer be not granted; which was concurred in.

Mr. Steele, from the committee on corporations, to whom was referred the bill to incorporate the Holsten Conference Female College, in the town of Asheville, reported the same back to the House, and recommended its passage.

Mr. Steele, from the same committee, to whom was referred the bill to amend the charter of the town of Charlotte, reported the same back to the House, and recommended its passage.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred the bill to establish a public road in the county of Rowan, reported the same back to the House, and recommended its passage.

On motion of Mr. Jenkins,

Ordered, That the report of the President of the Raleigh and Gaston Railroad Company, be taken from the table and printed.

On motion by Mr. Winston,

Ordered, That a message be sent to the Senate, proposing to go into a ballot for three trustees of the University, this day at 11 o'clock, A. M.

Mr. Humphrey presented the following resolution:

Resolved, That from and after Monday next, the House will take a recess from half past one to 3 o'clock, P. M.

Mr. J. B. Bynum offered the following amendment:

That from and after Monday next, the House shall adjourn at 2 o'clock, to meet at 7 o'clock, P. M.

On motion by Mr. Amis, the amendment was laid on the table. On motion by Mr. Dortch, the special order for this day, being the bill to lay off the State into nine judicial circuits, was postponed, and made the special order for Tuesday next, at 11 o'clock, A.M.

Received from the Senate a message concurring in the proposition to ballot for three trustees of the University, this day at 11 o'clock, and informing that Messrs. Speight and Christian form the Senate branch of the committee to superintend the balloting; and the Chair appointed Messrs. Green of Person, and Simmons, the committee on the part of the House.

The names of Warren Winslow and Henry B. Elliott were withdrawn from the nomination, and the Senate was informed thereof by message.

The hour having now arrived to ballot for said trustees, the House proceeded to ballot accordingly.

Mr. Singeltary presented the following resolution, which, under the rule lies over one day:

Resolved, That from and after Monday next, the House will take a recess from $1\frac{1}{2}$ to $3\frac{1}{2}$ o'clock, P. M., and that only bills on first reading, and reports from committees, shall be received during the evening session.

Mr. J. H. Headen introduced a bill to establish the Bank of Pittsboro', which was read the first time, passed, referred to the committee on banking, and ordered to be printed.

Mr. Waugh moved to reconsider the vote of yesterday, by which the bill to improve the road across the Blue Ridge at Fisher's Gap, was rejected; which,

On motion by Mr. Dargan, was laid on the table; yeas 70, nays 43.

Yeas and nays demanded by Mr. Amis.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Badham, Black, Blow, Bogle, J. G. Bynum, D. F. Caldwell, A. H. Caldwell, Carmichael, Chadwick, Cofield, Cotten, Cook, Craven, Dargan, Daniel, Daughtry, Davenport, Dortch, Eure, Furr, Gentry, Gilliam, Gorrell, G. Green, Harrison, J. H. Headen, J. F. Hill, Horton, Houston, Jarvis, Johnson, Jones, Lancaster, J. M. Leach, Hugh Leach, Love, March, Martin, McMillan, Mann, McKesson, McDuffie, Mebane, Mordecai, S. J. Neal, J. W. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rose, Russell, Shipp, Sharpe, Stubbs, Steele, Sutton, Thornburg, Turner, G. M. White, N. B. Whitfield, Wilkins, Winston, B. F. Williams, T. H. Williams and Yancey—70.

Those who voted in the negative, were,

Messrs. J. Barnes, A. Barnes, Bryson, Bryant, Bullock, J. B. Bynum, Cansler, Dunn, Flynt, Garland, M. Green, A. D. Headen, Holland, Humphrey, Jenkins, Jordan, Long, Lyon, Meares, Myers, Norment, Oglesby, Rand, Regan, Roland, Selby, Settle, Shaw, Sherrill, Singeltary, Smallwood, Tomlinson, Vance, Waugh, Watts, J. H. White, L. Whitfield, Whitaker, Whitlock, S. A. Williams, C. W. Williams, D. Williams and Wright—43.

Mr. Vance introduced a bill to release certain persons from

working the Asheville and Greenville Plankroad, in the county of Buncombe, which was read the first time and passed.

Mr. Lancaster introduced a bill to exempt females from attending as witnesses in certain cases, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Lyon moved to reconsider the vote of yesterday, by which the resolution introduced by Mr. Love instructing the committee on propositions and grievances to inquire into the expediency of establishing a new county out of portions of Haywood and Buncombe, by the name of Mount Pisgah, was rejected; which,

On motion of Mr. Bryson, was laid on the table.

The bill to amend the common school law, was read the second time and rejected.

The bill to provide for paying talis jurors in the county of Rowan, was read the second time, and

On motion by Mr. S. A. Williams, laid on the table.

Mr. Gilliam offered the following resolution:

Resolved, That no bill for laying off any new county in this State shall be considered in this House until on or after the 4th day of January next; which, under the rule lies over one day.

Mr. Dortch introduced the following, which was rejected:

Resolved, That the committee on education be instructed to inquire into the propriety of amending the statute concerning the incorporation of literary institutions, so as to provide that no literary institution shall confer degrees, without consent of the Legislature.

Mr. Outlaw presented the following resolution:

Resolved, That the following be added to the standing rules of the House:

When a motion to reconsider any vote of the House has been laid upon the table, it shall not be again considered, except by a vote of two-thirds.

Which, under the rule, lies over one day.

An engrossed resolution to furnish the clerk's office of the Senate, was read the second time; and,

On motion by Mr. Singeltary, laid on the table.

An engrossed resolution in favor of John Green, was read the second time and passed.

A bill to limit the time, within which, persons hereafter ap-

pointed justices of peace, shall take the oaths of office, and for other purposes, was read the second time; and,

On motion by Mr. Baxter, laid on the table.

Mr. McDuffie introduced a bill to regulate the fees of registers, in the county of Cumberland; which was read the first time, passed, and referred to the committee on private bills.

Mr. T. H. Williams presented the following resolution, which was read and adopted:

Resolved, That the public treasurer furnish the two Houses of the General Assembly, with the particular items of expense incurred by the literary board, in the discharge of its duties.

The bill to incorporate the Concord and Cheraw Railroad Company, was read the second time; and, pending the consideration thereof,

On motion by J. G. Bynum, the House adjourned to to-morrow morning, 10 o'clock.

SATURDAY, DECEMBER 16, 1854.

Mr. D. F. Caldwell presented a memorial from citizens of Guilford county, praying the passage of a law abolishing the liquor traffic, which was referred to the committee on propositions and grievances.

Mr. Cook, a petition from citizens of Wilkes county, asking the appointment of certain persons justices of the peace in said county, which was laid on the table.

Mr. Vance, from the committee on education, to whom was referred the bill to distribute the common school fund among the several counties of the State according to the ratio of white population, made a minority report in favor of said bill, which was received, and

Mr. Roland moved that the same be printed.

On motion by Mr. Outlaw, the motion to print was laid on the table.

Mr. Cansler, from the committee on internal improvements, to whom was referred

A bill to incorporate the Broad River Railroad Company; and A bill to incorporate the French Broad Railroad Company, reported the same back to the House and recommended their passage.

Mr. J. B. Bynum, from the committee on constitutional reform, to whom was referred a bill to amend the constitution of the State by providing for the election of judges for a term of years, reported the same back to the House with sundry amendments and recommeded its passage.

Mr. M. Green, from the committee to superintend the balloting for trustees of the University, reported that neither of the gentlemen in nomination had received a majority of the votes given, and consequently there was no election, which report was concurred in.

On motion by Mr. Davenport,

Ordered, That a message be sent to the Senate proposing to ballot again for three trustees of the University, this day at half past 11 o'clock, A. M.

Mr. Phillips, from the committee on the Revised Statutes, to whom was referred the resolution concerning the registry of certified copies of deeds proved and registered before the year 1820, reported that the commissioners have made ample provision therefor in the 29th section of the chapter on deeds and conveyances, in the Revised Code, and recommended that the resolution lie on the table, which report was concurred in.

Mr. Shepherd, from the committee to whom was referred so much of the Governor's message as relates to the University of the State, with instructions to inquire into the condition of the institution, reported that they had under consideration a memorial from the trustees, addressed to the General Assembly, through a committee of the board, of the Hon. Thomas Ruffin, Hon. David L. Swain, Hon. John H. Bryan, and B. F. Moore, Esq.

The committee, reserving for a future occasion a full report in relation to the duty with which they were charged, recommend the adoption of a resolution; which is herewith submitted:

Resolved, 'That the use of the hall of the House of Commons be tendered to the Hon. David L. Swain, on Monday evening, the 18th instant, for the purpose of delivering an address to the members of the General Assembly and the public, on the past history and present condition of the University of the State.

Which report was received, and the resoulution adopted.

The Speaker laid before the House a statement from the president of the Bank of Cape Fear; and

On motion by Mr. McMillan, the same was sent to the Senate, with a proposition to print.

Received from the Senate a message, concurring in the propo-

sition to print the said statement.

The Speaker laid before the House a communication from the magistrate of police of the town of Wilmington, extending the hospitalities of that town to the members and officers of the General Assembly.

Whereupon, on motion by Mr. T. H. Williams, the same was sent to the Senate, with a proposition to raise a joint select committee of three on the part of the House, and two on the part of the Senate, to consider the same, and answer the invitation of the magistrate of police.

Mr. Singeltary called up the engrossed resolution from the Senate, to furnish the clerk's office of the Senate; and the same was read the second time and passed.

The resolution introduced by Mr. Gilliam, on yesterday, relating to the order of business in this House was taken up;

Thereupon, Mr. Winston offered the following as a substitute: Resolved, That the House of Commons, on and after the 23d instant, and until the 4th of January next, will not consider any bills or resolutions on their second or third reading, except private bills, and bills reported by the committee on the Revised Statutes.

Which was adopted.

The resolution introduced by Mr Outlaw on yesterday, to amend the rules of the House, was taken up and modified, so as "not to extend to any motions to reconsider heretofore."

And, on motion by Mr. Settle, the resolution was laid on the table.

The resolution introduced by Mr. Singeltary on yesterday, relating to evening sessions, was taken up, amended and rejected.

Received from the Senate a message informing that Messis. Rayner, Graves and Oldfield, constitute the Senate branch of the committee on that portion of the governor's message relating to the erection of a monument in Independence Square, in the city of Philadelphia.

Also concurring in the proposition of the House to ballot for three trustees of the University, this day at $11\frac{1}{2}$ o'clock; and that

Messrs. Sanders and Freeman form the Senate branch of the committee to superintend the balloting.

The Chair appointed Messrs. Oglesby and Davenport, a committee on the part of the House, to superintend the balloting.

The hour having arrived, the name of B. M. Edney was put in nomination by Mr. Love, and the names of Goorge D. Baskerville, Jno. P. Jordan and Dr. Roane, were withdrawn; and the Senate informed thereof by message.

The House now proceeded to ballot accordingly.

Mr. Singeltary presented the following resolution:

Resolved, That from and after Monday next, this House will take a recess from half past one to 3 o'clock, P. M.

Upon the passage of which, he demanded the yeas and nays.

The resolution was adopted; yeas 60, nays 47.

Those who voted in the affirmative, were,

Messrs. J. Barnes, A. Barnes, Blow, Bryson, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Cofield, Daniel, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, Hill, Holland, Houston, Humphrey, Jarvis, Jordan, Lancaster, J. M. Leach, H. Leach, Long, Lyon, March, McMillan, Meares, Mordecai, S. J. Neal, J. W. Neal, Norment, Regan, Roland, Selby, Settle, Shaw, Sherrill, Singeltary, Simmons, Smith, Smallwood, Steele, Sutton, Tomlinson, Vance, Waugh, Watts, J. H. White, N. B. Whitfield, L. Whitfield, Whitlock, Wilkins, B. F. Williams, T. H. Williams, C. W. Williams, D. Williams and Wright—60.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Badham, Black, Bogle, J. G. Bynum, D. F. Caldwell, Chadwick, Carmichael, Cotten, Cooke, Craven, Dargan, Daughtry, Furr, Gilliam, Gorrell, G. Green, J. H. Headen, A. D. Headen, Horton, Jenkins, Johnson, Jones, Love, Martin, Mann, McKesson, McDuffie, Outlaw, Patterson, Parks, Patton, Perkins, Phillips, Rand, Russell, Shipp, Sharpe, Thornburg, Furr, G. M. White, Whitaker, Winston, S. A. Williams, and Yancey—47.

Mr. Blow introduced the following resolution, which was adopted:

Resolved, That the acting Governor of the State, be requested to communicate to this House, what measures if any, are in his opinion necessary to repair and preserve the public buildings.

Mr. Dortch presented the following resolution, which was adopted:

Resolved, That the committee on the judiciary be instructed to enquire if the General Assembly has not power to elect judges of the superior courts for a term of years, without any amendment of the constitution; and if they be of opinion that the General Assembly has such right, that they further enquire into the propriety of reporting a bill fixing the term for which such judges shall hold their office.

Mr. Jenkins offered the following resolution, which was read and adopted:

Resolved, That the Engrossing Clerk be allowed to use his office as a bed room, during the sitting of the present legislature.

Mr. Turner introduced the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary, be instructed to prepare and report a bill, which shall so alter the rules of descent, that any person guilty of murder, shall not inherit any portion of the property of the person murdered.

Mr. Thornburg asked leave to withdraw a bill heretofore introduced by himself, for the better regulation of the town of Franklinsville, which was granted.

Mr. Baxter introduced a bill to amend the several acts chartering the Ashville and Greenville Plank Road Company; which was read the first time, and passed.

Mr. Selby introduced a bill in favor of William N. Brooks, of the county of Hyde; which was read the first time, passed, and referred to the committee on private bills.

Mr. McMillan introduced a bill to incorporate the Grand Royal Arch Chapter of North Carolina, of Free and accepted Masons; which was read the first time, passed, and referred to the commitmittee on corporations.

Mr. Love presented a resolution calling on the acting Governor, for information concerning the finances of the State, &c., and withdrew it.

Mr. Singeltary presented the following resolution, which was rejected:

Resolved, That the committee on the judiciary, be instructed to enquire whether the election of judges of the superior courts,

is, under the constitution vested in the legislature, or belongs to the people.

Mr. Vance introduced a bill to incorporate the Asheville Mutual Insurance Company; which was read the first time, passed, and referred to the committee on corporations.

Mr. Jordan introduced the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire whether there are any judges duly elected and qualified in pursuance of law, to hold superior courts of law and equity for the State of North Carolina.

Mr. Phillips moved to amend the resolution by adding "also members of this legislature."

On motion by Mr. Outlaw, the amendment and resolution were laid on the table.

On motion by Mr. Vance, the bill introduced by himself on yesterday, to exempt certain persons from working on the Asheville and Greenville plankroad, was taken up and referred to the committe on private bills.

The House now resumed the consideration of the unfinished business of yesterday, being the bill to incorporate the Concord and Cheraw Railroad Company.

On motion of Mr. Dargan, the further consideration thereof was postponed, and the bill made the special order of the day for Thursday next, at 1 o'clock.

A bill to extend the time for the registration of grants, mesne conveyances, powers of attorney, bills of sale and deeds of gift was read the second time, and

On motion by Mr. Phillips, laid on the table.

A bill to regulate civil process was read the second time, and On motion by Mr. Dargan indefinitely postponed; yeas 52, nays 43.

Yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, A. Barnes, Baxter, Badham, Blow, Bogle, Bryant, Bullock, J. G. Bynum, Carmichael, Cook, Dargan, Daniel, Dortch, Dunn, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Harrison, Jenkins, Johnson, J. M. Leach, H. Leach, Long, March, Martin, McMillan, Mebane, Myers, J. W. Neal, Norment, Perkins, Phillips, Regan, Rose, Russell,

Settle, Shipp, Sharpe, Sherrill, Smallwood, Sutton, Tomlinson, Vance, Watts, N. B. Whitfield, L. Whitfield, Whitlock and Yancey—52.

Those who voted in the negative, were,

Messrs. Barringer, Black, Bryson, A. H. Caldwell, Craven, Daughtry, Flynt, A. D. Headen, J. F. Hill, Holland, Horton, Houston, Jarvis, Jones, H. Leach, Lyon, Mann, McKesson, McDuffie, Meares, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Rand, Roland, Selby, Shaw, Singeltary, Simmons, Steele, Thornburg, Waugh, George M. White, J. H. White, Winston, B. F. Williams, T. H. Williams, S. A. Williams, C. W. Williams and Wright—43.

On motion by Mr. S. A. Williams, the House adjourned to Monday morning, 10 o'clock.

MONDAY, DECEMBER 18, 1854.

The Chair announced the following committee on enrolled bills: Messrs. Cansler, Amis, Oglesby, Settle and Caldwell of Rowan.

The Speaker laid before the House a communication from the public treasurer, accompanied by statements showing the condition of the Bank of Washington, the Bank of Yanceyville, and the Farmers' Bank of North Carolina; and

On motion by Mr. Steele, the same were transmitted to the Senate with a proposition to print.

Mr. Yancey presented a memorial from sundry citizens of Madison county, praying the passage of a law to keep open Big Ivy up to James McNear's mills.

Mr. Whitlock presented a memorial from citizens of the town of Rockford, praying an act of incorporation of the stockholders of the Rockford Female Seminary, and to prohibit the sale of spiritnous liquors within one mile of the institute;

Mr. Black, a memorial from citizens of the county of Mecklenburg, praying the passage of a law prohibiting the traffic in intoxicating liquors, which were severally referred to the committee on propositions and grievances.

Mr. Oglesby, from the committee to superintend the balloting for three trustees of the University, reported that neither of the gentlemen in nomination had received a majority of the votes given, and that there was no election; which report was concurred in.

Mr. Patterson introduced the following resolution, which was read and adopted:

Resolved, That the committee on the Revised Statutes be instructed to prepare a plan for the action of this House in reference to the re-enactment of the Revised Statutes, and embracing the best mode of procedure to avoid a conflict between the provisions contained in the Revisal, and the acts which may be passed by the present General Assembly, and that they report the same at as early a day as practicable.

Mr. Baxter introduced a bill to authorize the county court of Henderson to sell and convey lands owned by the county;

Also a bill to authorize gates across the public road in Green River Cove, in Henderson county, which were severally read the first time and passed.

Mr. Patterson introduced a bill to incorporate the Atlantic, Tennessee, and Ohio Railroad Company; which was read the first time and passed.

Mr. Jordan, a bill to incorporate the Camden and Pasqotank New Cut Canal Company; which was read the first time, passed, and referred to the committee on internal improvement.

Mr. Barringer presented the following resolution; which was read and adopted:

Resolved, That the committee on finance be instructed to inquire into the expediency of providing by law, that hereafter, all public monies for the current expenses, and all other liabilities for the State, shall be appropriated for biennially, by regular acts of appropriation for that purpose, to be passed at each session of the Legislature, designating specifically the amounts and object of each appropriation; and also, that said committee be instructed to inquire into the expediency of providing by law that a regular statement and account of the receipts and expenditures of all public monies, shall be published with the promulgation of the law.

Mr. Thornburg introduced a bill for the better regulation of the town of Franklinsville; which was read the first time and passed, and referred to the committee on corporations.

The Speaker laid before the House a communication from

Warren Winslow, acting Governor, transmitting a copy of the annual report of the treasurer of the University, submitted to the board of trustees, at their annual meeting, on the 11th instant; and,

On motion by Mr. Barringer, the same was sent to the Senate, with a proposition to print.

The Speaker laid before the House the following communication from Warren Winslow, acting Governor:

EXECUTIVE DEPARTMENT, Dec. 18, 1854.

To the honorable the House of Common:

In reply to the resolution of the Commons, requesting me to furnish a copy of any contract that may have been entered into between the late Governor and Professor Emmons, touching a geological and minerological survey of the State, I have the honor to communicate copies of the correspondence between these gentlemen, serving as the basis of the 'terms upon which Professor Emmons engaged to do the work. There was no specific contract entered into, and these papers contain every thing on the subject, to be found on the files of this department.

I have the honor to be, &c., &c., WARREN WINSLOW.

Which, together with the accompanying documents, on motion by Mr. J. G. Bynum, were referred to the committee on the geo-togical survey.

An engrossed resolution from the Senate, authorizing the treasurer of the State to pay over to the treasurer of the North Carolina Railroad Company, the balance yet due on the State's subscription to the capital stock of said company, was read the first time and passed; and

Mr. J. G. Bynum moved to refer the resolution to the committee on finance; upon which motion a division was called for, 47 voting in the affirmative and 46 in the negative—the Speaker voting in the negative, the motion was rejected. The rules were suspended, and the resolution read the second time and passed.

A bill to amend the statute concerning widows, was read the second time, and

Mr. Amis offered the following amendment :

Be it further enacted, That if any married woman shall die leaving no issue, her husband shall be entitled in fee simple, to one half of the real estate of which his deceased wife was seized.

Mr. Winston, moved to recommit the bill and amendment to the committee on the Revised Statutes; which was disagreed to.

Mr. S. A. Williams offered the following amendment, to the amendment, insert between the word "entitled" and the word "in" unless the wife shall have disposed of it previous to her death by deed of gift;" which was rejected.

The question recurring upon Mr. Amis amendment, the same was rejected; yeas 36, nays 72.

Yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs, Amis, J. Barnes, Baxter, Bryant, Bullock, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cooke, Daughtry, Davenport, Dortch, Garland, G. Green, A. D. Headen, Hill, Houston, Jarvis, Lancaster, H. Leach, Lyon, McDuffie, Mann, Martin, Oglesby, Rand, Roland, Rose, Selby, Smallwood, Tomlinson, Vance, N. B. Whitfield, Whitlock, and D. Williams—36.

Those who voted in the negative, were,

Messrs. Badham, Barringer, Black, Blow, Bogle, Bryson, J. B. Bynum, J. G. Bynum, Cansler, Cofield, Cotton, Craven, Daniel, Dargan, Dunn, Flynt, Gentry, Gilliam, Gorrell, M. Green, Harrison, J. H. Headen, Holland, Horton, Humphrey, Jenkins, Johnson, Jones, Jordan, J. M. Leach, Long, Love, McKesson, McMillan, March, Meares, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Outlaw, Patterson, Patton, Perkins, Phillips, Regan, Russell, Settle, Sharpe, Shaw, Shepherd, Shernll, Shipp, Simmons, Singeltary, Smith, Steele, Thornburg, Watts, Wangh, Whitaker, G. M. White, J. H. White, L. Whitfield, Winston, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, Wright, and Yancey—72.

Mr. Singeltary offered the following amendment; strike out the words, "if she shall so elect," which was rejected.

Mr. Daniel moved to reconsider the vote by which the amendment offered by Mr. Amis, was rejected.

The House refused to reconsider, and the question recurring upon the passage of the bill on its second reading,

It was determined in the affirmative; yeas 92, nays 26.

Yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Baxter, Black, Blow, Bryant, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Craven, Daniel, Dargan, Dortch, Dunn, Flynt, Gentry, Gilliam, M. Green, A. D. Headen, J. H. Headen, Joel F. Hill, Holland, Horton, Humphrey, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, Love, Lyon, McKesson, McMillan, Mann, March, Martin, Meares, Mebane, Myers, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Regan, Roland, Rose, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Steele, Sutton, Thornburg, Tomlinson, Turner, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—92.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, Bogle, Bryson, Daughtry, Davenport, Garland, Gorrell, George Green, Harrison, Houston, Jarvis, McDuffie, Mordecai, J. W. Neal, Rand, Singeltary, Vance, N. B. Whitfield and D. Williams—20.

Received from the Senate a message accompanied by the following engrossed bills, in which they ask the concurrence of the House, to wit:

A bill to provide for the issue of additional stock by the Seaboard and Roanoke Railroad Company; and

A bill to authorize the county court of Macon county to lay a tax on land in that county to defray the expense of obtaining the righ of way for the railroad located through that county.

Received from the Senate a message concurring in the proposition of the House to print the communication from the treasurer, with accompanying bank statements.

Also concurring in the proposition to raise a joint select committee of two on the part of the Senate and three on the part of the House, to take into consideration the invitation of the magistrate of police of Wilmington, and that Messrs. Faison and Morisey form the Senate branch of said committee.

The Chair appointed Messrs. T. H. Williams, Vance and Settle on the part of the House.

Also a message proposing to raise a joint select committee of five on the part of each House, to inquire into the expediency of establishing an eighth judicial circuit which was concurred in, and the Chair appointed Messrs. Shepherd, Baxter, Jordan, J. M. Leach and Waugh a committee on the part of the House, and the Senate was informed thereof by message.

Mr. Shepherd introduced the following resolution:

Resolved, That the public treasurer be authorized to raise by sale of State bonds, or by borrowing, any sum not exceeding one hundred thousand dollars, to meet any lawful demands against the State.

Mr. J. G. Bynum offered the following amendment:

Strike out all after the word "resolved," and insert, that the public treasurer be required to communicate to this House the amount of claims existing on the public treasurer at this time, and what amount will be due from the public treasury on the first day of January next, and the means in the treasury to meet these demands; which amendment was adopted.

On motion by Mr. J. M. Leach, the House adjourned to meet to-morrow 10 o'clock.

TUESDAY, DECEMBER 19, 1854.

The Speaker laid before the House a communication and report from the board of directors of the N. C. Institute for the education of the deaf and dumb and blind.

On motion by Mr. Mebane, referred to the committee on the deaf and dumb asylum.

Mr. Mebane presented a memorial from citizens of Alamance county, praying the passage of a law prohibiting the traffic in intoxicating liquors;

Mr. J. H. Headen, a like memorial from citizens of the county of Chatham;

Mr. Shaw, a like memorial from citizens of the county of Sampson;

Mr. Sutton, a like memorial from citizens of the county of Lenoir; Which were severally referred to the committee on propositions and grievances.

Mr. Norment, from the committee on agriculture, to whom was referred the bill to amend the sixth section of an act passed at the session of the General Assembly of 1852, entitled an act to encourage agriculture, domestic manufactures, and the mechanic arts, reported the same back to the House, and recommended its passage.

Mr. Cansler, from the committee on internal improvement, to whom was referred

The bill to incorporate the Camden and Pasquotank New Cut Canal Company; also,

A bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company; and also,

The bill to incorporate the North Carolina and Western Railroad Company, reported the same back to the House, and recommended their passage.

Mr. Steele, from the committee on corporations, to whom was referred.

A bill to incorporate the town of Newton, in the county of Catawba;

A bill to incorporate the Hillsboro' and Milton Plankroad Company; and

A bill to incorporate the Greensborough, Madison and Virginia Plankroad Company, reported the same back to the House, and recommended their passage.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred,

A bill to establish a public road in Yancy county, reported the same back to the House, and recommended that it do not pass; and,

On motion by Mr. Cook, the bill and report were laid on the table.

Mr. Waugh, from the same committee, to whom was referred

A bill to prevent the ranging of stock, from any other State or county in Yancey county, reported a substitute therefor, and recommended its passage.

Mr. Waugh, from the same committee, to whom was referred

A bill to prevent the felling and putting of timber in Haw and Alamance rivers, in the county of Alamance;

A bill concerning Haw river, in Alamance county; and

A bill concerning public roads, in the county of Watauga, reported the same back to the House, and recommended their passage.

Mr. Phillips, from the committee on the Revised Statutes, to whom was referred the resolution instructing them to enquire into the propriety of providing for divorce from the bonds of matrimony in certain cases, reported the same back to the House, stating that in the opinion of the committee, it is inexpedient to legislate upon the subject as is proposed, and recommended that the resolution lie upon the table.

Which report was concurred in.

Mr. Vance, from the joint select committee, to whom was referred the invitation of the magistrate of police of the town of Wilmington, tendering the hospitalities of the place to the members of the legislature, reported in favor of accepting the same; and recommended that the legislature take a recess from Friday next until Wednesday the 27th inst.

Which report was concurred in by the House, and the Senate informed by message.

Mr. A H. Caldwell presented a communication from the committee of arrangements of Salisbury, inviting the members of the legislature to be present at a railroad celebration at that place, on the 4th January next; which, on motion by Mr. Outlaw, was sent to the Senate.

Mr. Houston presented the following resolution:

Resolved, That this House will adjourn on Saturday next, the 23d inst., to meet again on Wednesday the 27th inst; which, on motion by Mr. Roland, was laid upon the table.

Mr. T. H. Williams introduced the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary inquire into the propriety of enacting a law, which shall exempt from execution, in favor of the creditors of the husband, all property which they may have acquired by marriage; and report by bill or otherwise.

Mr. Gilliam introduced a bill to amend the act incorporating the town of Plymouth; which was read the first time, and passed, and referred to the committee on corporations.

Mr. Roland introduced a bill to incorporate the Tusquetta and Aquanal Turnpike Company, in the counties of Cherokee and Macon; which was read the first time, and passed.

Mr. Love presented a resolution in favor of Ephraim and Thomas Osburn; which was read the first time, and passed, and refer-

red to the committee on claims.

Mr. Shepherd introduced a bill relative to the action of ejectment in the courts of this State, also,

A bill to amend the act of 1808, entitled an act to regulate descents; which were severally read the first time and passed, and referred to the committee on the judiciary.

Mr. T. H. Williams presented the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary, enquire into the expediency of so amending the charter of our University, as to provide for the election of trustees, by requiring the board of trustees to appoint or elect their successors, and that they report by bill or otherwise.

Received from the Senate a message accompanied by a resolulution passed by that body, directing the Speakers of the two Houses, to respectfully decline the invitation of the Magistrate of Police of the town of Wilmington, and asking the concurrence of this House,

Whereupon, Mr. Singeltary offered the following amendment to the resolution:

That the thanks of the General Assembly be returned to the people of Wilmington, for their tender of hospitality to this body, and as many of the members as may find it convenient, will accept the invitation; which amendment was adopted, and the Senate informed thereof by message, and their concurrence asked.

Received from the Senate a message informing that they have directed its Speaker, to respectfully decline the invitation of the committee of arrangements of the town of Salisbury, to be present at that place on the 4th of January next, which was concurred in.

The Chair announced that the hour had arrived for the consideration of the special order of the day, being the bill to lay off the State into nine judicial circuits.

On motion by Mr. Houston, the same was postponed, and made the special order of the day for the second Monday in January next at 11 o'clock.

Mr. Johnson introduced a bill to authorize the board of trustees of the university to fill vacancies arising in their body, which was read the first time, passed, and referred to the joint committee on the University.

Mr. T. H. Williams introduced a bill to amend an act passed by the General Assembly at the session of 1852, entitled an act to amend the 15th section of the 31st chapter of the Revised Statutes, so as to authorize the superior court to be held for two weeks in the county of New Hanover, which was read the first time, passed, and referred to the committee on the judiciary.

Received from the public treasurer a statement of debts now due, and which will be due on the first day of January, and the means on hand to meet the same.

Mr. Shepherd offered the following resolution:

Resolved, That the public treasurer be authorized to raise by loan a sum not exceeding one hundred thousand dollars, to meet any lawful demands upon the treasury, which was read the first time and passed; and,

On motion by Mr. Barringer, the rule was suspended, and the resolution was read the second and third time, passed, and ordered to be engrossed.

On motion by Mr. Singeltary, the rule was suspended, and the resolution ordered to be sent forthwith to the Senate.

Mr. Singeltary moved that the communication and statement from the public treasurer be transmitted to the Senate; and

Mr. Amis moved to amend, by adding "with a proposition to print."

Which amendment was rejected; yeas 49, nays 60.

Yeas and nays demanded by Mr. Roland.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Dargan, Davenport, Gilliam, Gorrell, A. D. Headen, J. H. Headen, Holland, Horton, Johnson, Jones, H. Leach, J. M. Leach, Love, Mann, March, Mebane, Mordecai, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russsell,

Sharpe, Shipp, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Wilkins, T. H. Williams and Winston—49.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Black, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Daughtry, Dunn, Flynt, Garland, Gentry, G. Green, M. Green, Harrison, J. F. Hill, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Lyon, McDuffie, McKesson, McMillan, Martin, Meares, Myers, J. W. Neal, Norment, Oglesby, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—60.

The question then recurring on Mr. Singeltary's motion, the same was adopted.

Received from the Senate a message informing that the Senate refuses to concur in the amendment proposed by the House to the resolution relating to the invitation to Wilmington.

On motion by Mr. Carmichael, the House adheres, and the Senate was informed thereof.

The bill to incorporate the Shelby Railroad Company was read the second time, and

On motion by Mr. J. G. Bynum, the further consideration thereof was postponed until the second Monday of January next.

Mr. Turner introduced a resolution in favor of H. S. Smith, which was read the first time, passed, and referred to the committee on the Revised Statutes.

Mr. J. G. Bynum introduced a bill, accompanied by memorials, to lay off and establish a new county by the name of Golden Valley, which was read the first time and passed.

The House now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

On motion by Mr. Phillips, the committee on the Revised Statutes were excused from attending evening sessions.

Mr. D. F. Caldwell moved that the committee on banking be excused from attending evening sessions, which was refused.

Mr. Lancaster moved that the committee on private bills be excused from attending evening sessions, which was refused.

The bill to provide for the improvement of the road leading from Wilkes county line, by way of Meat Camp Creek, to the Tennessee line at or near Wilkes's store, was read the third time, passed and ordered to be engrossed.

An engrossed resolution authorizing the treasurer of the State to pay over to the treasurer of the North Carolina Railroad Company the balance of the State's subscription to said road, was read the third time, and

Mr. J. G. Bynum offered the following amendment:

And that the public treasurer pay the said amount in bonds on the State of North Carolina, issued agreeable to the provisions of the charter of said company, which said bonds shall be received in discharge of the State's subscription by the said company at par: *Provided*, That the said North Carolina Railroad Company shall not be at liberty to sell or dispose of said bonds for less than their par value.

Pending the consideration of which,

On motion by Mr. S. A. Williams, the House adjourned to to-morrow, 10 o'clock, A. M.

WEDNESDAY, DECEMBER 20, 1854.

The Speaker laid before the House a communication from Warren Winslow, acting Governor, accompanied by the annual report of the superintendent of common schools.

On motion by Mr. T. H. Williams,

Ordered, That the same be sent to the Senate, with a proposition to print.

Mr. Bryant presented a memorial from sundry citizens of the county of Nash, protesting against the proposition before the Legislature to take a portion of said county, to create a new county by the name of Wilson; which was referred to the committee on propositions and grievances.

Mr. D. F. Caldwell, from the committee on banking, to whom was referred the bill to charter the Peoples' Bank of the State of North Carolina, reported the same back to the House, and recommended its passage.

On motion by Mr. Settle,

Ordered, That the report be printed.

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Mr. Steele, from the committee on corporations, to whom was referred a bill to incorporate the Little River Turnpike Company;

Also a bill for the better regulation of the town of Franklinsville, in the county of Randolph, reported the same back to the House, and recommended their passage.

Mr. Dargan, from the joint select committee on the Revised Statutes, to whom was referred a bill and amendment to give the county and superior courts of Mecklenburg jurisdiction over the sale of real estate, for division amougst joint tenants and tenants in common, reported the same back to the House, and recommended that it do not pass.

Mr. Phillips, from the same committee, to whom was referred the resolution in favor of H. S. Smith, reported the same back to the House with a substitute therefor, and recommended its passage; which was read the first time and passed.

Mr. Settle, from the committee on claims, to whom was referred the memorial of Sarah Avery, reported the same back to the House, and asked to be discharged from its further consideration; which was received and laid upon the table.

Mr. Settle, from the same committee, to whom was referred the resolution in favor of William Gilliam, reported the same back to the House, and recommended that it do not pass.

Mr. Settle, from the same committee, to whom was referred the resolution in favor of Thomas I. Judkins, and

The resolution in favor of Henry Nutt, reported the same back to the House, and recommended their passage.

Mr. Settle, from the same committee, to whom was referred the resolution in favor of W. W. Green and L. A. Jeffreys, reported the same back to the House, and recommended that it do not pass; and

On motion by Mr. Settle, was indefinitely postponed; yeas 76, nays 18.

Yeas and nays demanded by Mr. Martin.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Baxter, Bogle, Bryant, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Cotton, Craven, Daniel, Dargan, Dunn, Flynt, Gentry, Gorrell, M. Green, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Humphrey, Jarvis, Johnson, Jordan,

H. Leach, J. M. Leach, Long, Love, McDuffie, McMillan, Mann, March, Meares, Mebane, Myers, Norment, Oglesby, Outlaw, Parks, Patton, Perkins, Phillips, Regan, Rose, Russell, Selby, Settle, Shaw, Shepherd, Simmons, Singeltary, Smallwood, Smith, Steele, Sutton, Thornburg, Tomlinson, Turner, Waugh, Whitaker, G. M. White, L. Whitfield, Whitlock, Wilkins, C. W. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—76.

Those who voted in the negative, were,

Messrs. Blow, Bryson, Cofield, Davenport, Garland, G. Green, Horton, Houston, Jenkins, Jones, Lyon, Martin, Patterson, Roland, Sherrill, Vance, J. M. White and N. B. Whitfield—18.

On motion by Mr. Singeltary,

Ordered, That a message be sent to the Senate, proposing to vote for seven councillors of State forthwith.

Received from the Senate a message, concurring in the proposition to vote forthwith for councillors of State, and informing that Messrs. Faison and Christian form the Senate branch of the committee to supertend the election, and that Messrs. Wm. Badham, O. R. Kenan, M. T. Hawkins, Benjamin Trollinger, Owen D. Holmes, Larkin Stowe and Sam'l. L. Love, are in nomination in the Senate.

On motion, the following names were added to the nominanation:—Messrs. William Foy, Chas. L. Partee, Jas. A. Long, Thos. J. Speller, Wm. M. Shipp, Oliver H. Cowan; and the Chair appointed Messrs. Meares and Oglesby a committee on the part of the House to superintend the election, and the Senate was informed thereof by message.

The House now proceeded to vote accordingly, as follows:

For Mr. Badham:—Messis. Speaker, J. Barnes, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Carmichael, Cofield, Cotten, Dargan, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, J. H. Headen, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Love, Lyon, McDuffie, McKesson, McMillan, Martin, Meares, Myers, J. W. Neal, Norment, Oglesby, Patton, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Steele, Sutton, Tomlinson, Waugh, Whitaker, White of Bladen, J. H. White, N. B. Whitfield, L. Whitfield, Wilkins, C. W. Williams,

D. Williams, S. A. Williams, Winston, Wright, Yancey, Gilliam, J. F. Hill and Black-69.

For Mr. Love:—Messrs. Speaker, Badham, J. Barnes, Barringer, Baxter, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Dargan, Dortch, Flynt, Garland, Gentry, M. Green, A. D. Headen, J. H. Headen, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Hugh Leach, Long, Love, Lyon, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, Mebane, Myers, J. W. Neal, Norment, Oglesby, Patterson, Patton, Phillips, Rand, Roland, Regan, Rose, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Steele, Sutton, Tomlinson, Turner, Vance, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright, Yancey, Gilliam, J. F. Hill, J. M. Leach and Black—87.

For Mr. Stowe:—Messrs. Speaker, Badham, J. Barnes, Barringer, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Love, Lyon, McDuffie, McMillan, Martin, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Sutton, Tomlinson, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Wright, Yancey, J. F. Hill and Black—62.

For Mr. Trollinger:—Messrs. Speaker, Badham, Joshua Barnes, Blow, Bryant, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, Cansler, Cofield, Cotten, Dargan, Dortch, Dunn, Flynt, Garland, Gentry, George Green, M. Green, A. D. Headen, J. H. Headen, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Love, Lyon, McDuffie, McMillan, Martin, Meares, Mebane, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Steele, Sutton, Tomlinson, Vance, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Wright, Yancey, Gilliam, J. F. Hill and Black—70.

FOR MR. HOLMES:—Messrs. Speaker, Badham, J. Barnes, Blow, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Cofield, Cotten, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Holland, Houston, Hnmphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Love, Lyon, McDnffie, McMillan, Martin, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Steele, Sutton, Tomlinson, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams, Wright, Yancey, Hill, and Black—65.

For Mr. Hawkins:—Messrs, Speaker, Badham, J. Barnes, Barringer, Baxter, Blow, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Caimichael, Cofield, Cotten, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Holland, Houston, Humphrey, Jarvis, Jenkens, Jones, Jordan, Lancaster, Hugh Leach, Long, Love, Lyon, McDuffie, McKesson, McMillan, Martin, Meares, Mebane, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Phillips, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Sutton, Tomlinson, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright, Yancey, Gilliam, Hill and Black—75.

For Mr. Kenan:—Messrs. Speaker, Badham, J. Barnes, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Cofield, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Holland, Houston, Humphrey, Jarvis, Jenkens, Jordan, Lancaster, Long, Love, Lyon, McDuffie, McMillan, Martin, Mearcs, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settlle, Shaw, Shepherd, Sherrill, Singeltary, Sutton, Tomlinson, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Wright, Yancey, Hill and Black—61.

For Mr. Foy:—Messis. Amis, Barringer, Baxter, Bogle, D. F. Caldwell, A. H. Caldwell, Daniel, Davenport, Gorrell, Geo. Green, J. H. Headen, Johnson, Mann, March, Mebane, Outlaw,

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Patterson, Patton, Perkins, Phillips, Russell, Simmons, Steele, Turner, Vance and Winston—26.

For Mr PARTEE:—Messrs. Amis, Barringer, Bogle, D. F. Caldwell, Carmichael, A. H. Caldwell, J. G. Bynum, Craven, Daniel, Dargan, Davenport, Gorrell, Horton, Johnson, Mann, March, Outlaw, Patterson, Perkins, Phillips, Roland, Russell, Shipp, Simmons, Thornburg, Vance and Wilkins—27.

For Mr. Long:—Messrs. Amis, Baxter, Bogle, Bryson, D. F. Caldwell, A. H. Caldwell, J. G. Bynum, Craven, Daniel, Davenport, Gorrell, J. H. Headen, Johnson, Mann, March, Mebane, Outlaw, Patton, Perkins, Russell, Simmons, Thornburg and J. M. Leach—23.

For Mr. Speller:—Messis. Amis, Baxter, D. F. Caldwell, A. H. Caldwell, Cotton, Daniel, Davenport, Geo. Green, Johnson, March, Outlaw, Perkins, Phillips, Russell, Simmons, Turner, Vance, B. F. Williams, Winston, Gilliam and J. M. Leach—21.

For Mr. Shipp:—Messis. Amis, Barringer, Baxter, Bogle, Bryson, D. F. Caldwell, Carmichael, A. H. Caldwell, J. G. Bynum, Craven, Daniel, Dargan, Davenport, Gorrell, George Green, J. H. Headen, Horton, Johnson, McKesson, Mann, March, Mebane, Mordecai, Outlaw, Patterson, Patton, Perkins, Phillips, Roland, Russell, Simmons, Steele, Turner, Vance, Wilkins, Winston, Gilliam and J. M. Leach—38.

For Mr. MILLER:—Messrs. Amis, D. F. Caldwell, Carmichael, Daniel, Davenport, Johnson, Mann, Mordecai, Outlaw and Turner—10.

For Mr. Cowan:—Messrs. Amis, Barringer, Baxter, Bogle, D. F. Caldwell, Carmichael, A. H. Caldwell, Daniel, Davenport, Gorrell, Geo. Green, J. H. Headen, Johnson, Mann, March, Mordecai, Outlaw, Perkins, Phillips, Shipp, Simmons, Steele, Turner and Wilkins—24.

For Mr. Steele:—Messis. Bogle, Dargan, Gorrell, Horton, Jones, Hugh Leach, Mordecai, Patterson, Patton and Wilkins—10.

For R. C. Cotten:—Messrs. Dargan, McKesson, Patterson, Patterson, Roland, Shipp and B. F. Williams—7.

For Mr. Outlaw: Messrs. Craven, Gorrell, Jones, Perkins, Thornburg and Vance—6.

For Mr. Bynum:—Messrs, Craven, Horton, Hugh Leach and Thornburg—4.

For Mr. Turner:—Messrs. McKesson, Roland and Vance

—ə.

For Mr. Montgomery:—Messis. Russell, Thornburg and J. M. Leach—3.

For Mr. Green: -Messrs. Craven and Thornburg-2.

For Mr. SETTLE :-Mr. Bryson-1.

For Mr. McDuffie :- Mr. McKesson-1.

For Mr. JOYNER: -Mr. Craven-1.

For Mr. Hoke :- Mr. Horton-1.

For Mr. HILL: -Mr. Horton-1.

For Mr. Sanders: -Messrs. Jones and J. M. Leach-2.

For Mr. Venable: -Messrs. B. F. Williams and Jones-2.

For Mr. BAXTER: -Mr. J. M. Leach-1.

For Mr. H. W. MILLER: -Mr. Jones-1.

For Mr. SHEPHERD :- Mr. Hugh Leach-1.

For Mr. Cansler: -Mr. Patterson-1.

For Mr. NORMENT: -Mr. Roland-1.

For Mr. SINGELTARY :- Mr. Roland-1.

For Mr. Norfleet: -Mr. B. F. Williams-1.

For Mr. Jones :- Mr. Turner-1,

For Mr. RODMAN: -Mr. B. F. Williams-1.

For Mr. MEARES :- Mr. Winston-1.

For Mr. Shoker: -Mr. J. M. Leach-1.

For Mr. Ruffin :- Mr. B. F. Williams-1.

For Mr. Gaines :- Mr. Mebane-1.

For Mr. DARGAN: -Mr. Jones-1.

Received from the Senate a message accompanied by the following engrossed bills, asking the concurrence of the House therein.

A bill to incorporate Union Academy in the county of New Hanover, and for other purposes.

A bill to emancipate John Good a slave.

A bill to authorise the court of pleas and quarter sessions of the counties of Craven, Nash, Sampson, Stokes and Forsyth, to pay the wardens of the poor.

Mr. Turner, presented a resolution in favor of Archibald Bor-

land; which was read the first time and passed, and referred to the committee on claims.

Mr. Bryant introduced a bill to annex a part of the county of Edgecombe, to the county of Nash: which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Patterson, a bill to extend the time for perfecting tittes to lands heretofore entered; which was read the first time and passed, and on his motion the rules were suspended, and the bill read the second time and passed; the rule being suspended, it was read the third time, and the further consideration thereof postponed until to-morrow.

Mr. Norment, from the committee on agriculture, to whom was referred the memorial of the Hon. Thomas Ruffin, President of the North Carolina State Agricultural Society, reported the same back to the House, accompanied by a bill, and recommended its passage; the bill was read the first time and passed.

Mr. Mann introduced a bill concerning hogs running at large in the streets of Elizabeth City; which was read the first time and passed, and referred to the committe on private bills.

Mr. Dargan, introduced a bill to repeal an act passed in 1848-'9, exempting certain persons from military duties; which was read the first time and passed, and referred to the committee on military affairs.

Mr. Patton, a bill to incorporate the town of Franklin; which was read the first time and passed, and referred to the committee on corporations.

Mr. Mebane, a bill to incorporate the Alamance and Caswell Plank Road Company; which was read the first time and passed.

Mr. McDuffie, a bill to re-model the county courts of the county of Cumberland; the same was read the first time and passed, and ordered to be printed.

Mr. Jones, a bill to incorporate the Iron Hill and Whitesville Plankroad Company; the same was read the first time and passed, and referred to the committee on corporations.

Mr. Jenkins presented a resolution in favor of W. H. Winder; the same was read the first time and passed, and referred to the committee on claims.

Mr. Lancaster introduced a bill to pay the wardens of the poor

of the county of Alamance; which was read the first time and passed.

Mr. A. D. Headen presented a resolution in favor of C. C. Stone; the same was read the first time and passed, and referred to the committee on claims.

Mr. Myers introduced a bill to incorporate the Alexandriana Plankroad Company; which was read the first time and passed, and referred to the committee on internal improvement.

Mr. Houston presented the following resolution:

Resolved, That this House will take a recess from Friday next, the 22nd instant, until Wednesday, the 27th instant.

Pending the consideration of which, the House took a recess.

Three o'clock, P. M.

The House now resumed the consideration of the above pending resolution.

Mr. Gilliam moved to amend the resolution by adding: "The Senate concurring."

On motion by Mr. Waugh, the amendment and resolution were laid upon the table.

Mr. Patterson presented the following resolution, which, under the rule lies over one day:

Resolved, That at the afternoon session of this House, until otherwise ordered, engrossed bills from the Senate shall first be taken up and read a first time, and after they are disposed of, then private bills of this House on their second reading.

Mr. Jones introduced a bill to incorporate the Fair Bluff Conwayborough Plankroad Company; the same was read the first time, passed, and referred to the committee on corporations.

Mr. George Green presented a resolution in favor of S. W. Chadwick, which was read the first time, passed, and referred to the committee on claims.

Mr. J. F. Hill introduced a bill to repeal an act passed at the session of the Legislature of 1850-'51, entitled an act authorizing a geological survey of the State, and for other purposes; the same was read the first time and passed, and referred to the committee on the geological survey.

On motion by Mr. Amis, leave of absence was granted to Mr. Outlaw, from Friday the 22d inst. to the 4th of January next.

On motion by Mr. S. A. Williams, leave of absence was granted to Mr. Gilliam, from the 23d instant to the 2nd of January next.

On motion by Mr. Patterson, leave of absence was granted to Mr. Steele, from Friday next to Friday week.

Mr. Meares, from the committee appointed to superintend the election of seven councillors of State, reported that William Badham, O. R. Kenan, Saml. L. Love, Larkin Stowe, Benjamin Trollinger, Owen D. Holmes and M. T. Hawkins had received a majority of the whole number of votes given, and were duly elected councillors of State; in which report the House concurred.

Mr. Outlaw moved that this House do now adjourn, upon which motion,

Mr. S. A. Williams demanded the yeas and nays; they were accordingly ordered and taken; yeas 24, nays 71.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, J. G. Bynum, Cook, Cotton, Daniel, Dargan, Gorrell, G. Green, Harrison, Humphrey, J. H. Headen, Johnson, Jones, J. M. Leach, Mann, Outlaw, Patton, Roland, Selby, Simmons and Turner—24.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bryant, Bryson, Bullock, D. F. Caldwell, Cansler, Carmichael, Cofield, Craven, Dortch, Dunn, Flynt, Garland, Gentry, Gilliam, M. Green, A. D. Headen, Hill, Holland, Horton, Jarvis, Jenkins, Lancaster, H. Leach, Long, Love, Lyon, McMillan, March, Martin, Mearcs, Mebane, Mordecai, J. W. Neal, Norment, Oglesby, Patterson, Perkins, Rand, Regan, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Smith, Steele, Sutton, Thornburg, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Wiiliams, T. H. Williams, Wright and Yancey—71.

So the House refused to adjourn.

Mr. Sutton presented the nomination of sundry persons for justices of the peace in Lenoir county, which was laid on the table.

The House now proceeded to the consideration of the unfinished business of yesterday, to wit:

The resolution and pending amendments, authorizing the public treasurer to pay over to the treasurer of the North Carolina railroad company, the balance of the State's subscription.

Mr. Mebane offered the following amendment to the amendment: "That the public treasurer pay over as soon as practicable to the treasurer of the North Carolina Railroad Company, the whole amount of the State's subscription remaining unpaid, except the sum of fifty thousand dollars."

Mr. J. G. Bynum withdrew his amendment, and offered the following: "Whereas, by the provisions of the charter of the North Carolina Railroad Company, the State of North Carolina hath obliged herself to pay to said company two millions of dollars as soon as one million of dollars shall actually be paid in by individuals, and expended in the construction of said road, the terms, conditions, and manner of said payment being prescribed in said charter; and whereas, it is represented to this General Assembly by the president and directors of said North Carolina Railroad Company, that individual stockholders in said company have expended in labor on said road a larger amount, though they have not paid the same to said company in money; Be it therefore

Resolved, That the amounts so expended in labor, shall be deemed and held a compliance on the part of individual stockholders with the provisions of the charter, requiring them to pay money into said company.

Resolved, That whenever the president of said company shall produce to the public treasurer satisfactory evidence, which evidence shall be filed in the records of the treasury department, that individual stockholders shall have expended in labor in the construction of said road any amount not less than \$25,000, it shall be the duty of the public treasurer to pay to the order of the president of said company double the amount so expended by individual stockholders.

Resolved, That the public treasurer is hereby authorized to raise the sum so to be paid either according to the provisions of the charter, or by issuing bonds payable in thirty years from date, with interest at six per cent. payable semi-annually, and delivering them to the president of said company, which bonds shall be received by said company at par, the said company entering into

a covenant that the same shall not be disposed of by said company at less than par.

Which amendment was rejected.

Mr. Outlaw moved that the House do now adjourn, and

Mr. Bullock demanded the yeas and nays, which were ordered and taken; yeas 13, nays 85.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Craven, Daniel, George Green, Humphrey, Hugh Leach, Mann, Outlaw, Selby, Shipp, Winston and Yancey—13.

Those who voted in the negative, were,

Messis. Amis, Badham, A. Barnes, J. Barnes, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Cofield, Cotten, Dargan, Dortch, Dunn, Flynt, Garland, Gentry, Gilliam, Gorrell, M. Green, A. D. Headen, J. H. Headen, Joel F. Hill, Holland, Horton, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, J. M. Leach, Long, Love, Lyon, McMillan, March, Martin, Meares, Mebane, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Patton, Perkins, Phillips, Rand, Regan, Roland, Russell, Settle, Shaw, Shepherd, Simmons, Singeltary, Smallwood, Smith, Steele, Sutton, Thornburg, Tomlinson, Turner, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, T. H. Williams and Wright-m85.

So the House refused to adjourn.

The House again resumed the consideration of the resolution, and

Mr. J. G. Bynum offered the amendment heretofore withdrawn by him, upon which he demanded the yeas and nays, which were ordered and taken; yeas 40, nays 58.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, J. G. Bynum, Cansler, Carmichael, Cofield, Craven, Daniel, Garland, Gentry, Gilliam, George Green, Horton, Jenkins, Jones, Long, Mann, March, Martin, Oglesby, Outlaw, Patton, Russell, Selby, Sherrill, Shipp, Simmons, Singeltary, Thornburg, Tomlinson, Waugh, J. H. White, Whitlock, S. A. Williams, Thomas H. Williams, Winston and Yancey—40.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Dargan, Dortch, Dunn, Flynt, Gorrell, M. Green, A. D. Headen, J. H. Headen, Joel F. Hill, Holland, Humphrey, Jarvis, Johnson, Jordan, Lancaster, Hugh Leach, J. M. Leach, Love, Lyon, McMillan, Meares, Mebane, Mordecai, Myers, J. W. Neal, Patterson, Perkins, Phillips, Rand, Regan, Roland, Rose, Settle, Shaw, Shepherd, Smallwood, Smith, Steele, Sutton, Turner, Waugh, Whitaker, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Willhams and Wright—58.

Mr. Gilliam moved the House do now adjourn; the House re-

Mr. Patterson offered the following amendment, which was adopted:

Provided, That the President and Directors of said company, may receive the payment herein authorised in the bonds of this State at their par value, and if they shall elect to do so, the public treasurer is hereby authorised to pay the same without the necessity of advertising the sale thereof, as required by the charter of said company, and

Provided further, That the public treasurer be authorised to deduct from the amount claimed to be due, the sum of fifty thousand dollars, or whatever amount may be found to be due the said company from the State, after deducting the amount of insolvent subscriptions made by insolvent subscribers.

The question then recurring upon the resolution as amended, the same was passed.

On motion by Mr. Steele, the House adjourned to to-morrow morning 10 o'clock.

TUESDAY, DECEMBER 21, 1854.

Received from the Senate a message informing the House that they have passed the engrossed resolution authorizing the treasurer to borrow \$100,000; and that they have ordered the communication from the treasurer to be printed, and asked the concurrence of the House.

Mr. Singeltary moved the proposition to print the communication from the treasurer, be laid upon the table, and Mr. Barringer demanded the yeas and nays, which were ordered and taken; yeas 51, nays 36.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bogle, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Cofield, Dortch, Dunn, Flynt, G. Green, M. Green, A. D. Headen, Hill, Humphrey, Jarvis, Jenkins, Jordan, Long, Lyon, McDuffie, McMillan, Martin, Mebane, Mordecai, Oglesby, Perkins, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Steele, Sutton, Tomlinson, Waugh, Whitaker, G. M. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, S. A. Williams, T. H. Williams and Wright—51

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, D. F. Caldwell, Cansler, Carmichael, Craven, Dargan, Davenport, Garland, Gentry, Gorrell, Harrison, J. H. Headen, Holland, Johnson, Jones, Lancaster, Hugh Leach, Mann, March, Myers, Patterson, Patton, Phillips, Rand, Roland, Rose, Russell, Shipp, Simmons, Smith, Thornburg, Wilkins, B. F. Williams, and Winston—36.

So the proposition was laid upon the table, and the Senate informed thereof by message.

Received from the Senate a message, informing that they have receded from their refusal to the amendment of the House to the resolution concerning the invitation to Wilmington, and have passed the same as amended.

Also, a message proposing to adjourn from and after to-morrow until Tuesday next, which was concurred in, and the Senate informed thereof by message.

Leave of absence was asked and granted to the following members:

Mr. Smith, from 23d instant to the 10th of January.

Mr. Lyon from Friday to Wednesday next.

Mr. A. D. Headen, from Saturday to 1st January.

Mr. Selby, from Saturday to the 1st January.

Mr. Simmons, frem Saturday next to the 1st January.

Mr. Long, from Saturday next to the 1st January.

Mr. Mebane, from Saturday next to the 1st January.

Mr. M. Greene, from Saturday next to the 1st January.

Mr. Phillips, from Saturday next to the 1st January.

Mr. Perkins, from Saturday next to the 1st January

Mr. Davenport, from Friday next to the 1st January.

Mr. Winston, from Friday next to the 1st January.

Mr. J. W. Neal, from Saturday next to the 1st January.

Mr. Bulloek, from Saturday next to the 1st January.

Mr. Shipp, from Friday next to the 27th instant.

Mr Carmichael presented a memorial from citizens of Wilkes and Ashe counties, praying the laying out a public road : which was referred to the committee on propositions and grievances.

Mr. Roland presented a memorial from citizens of Cherokee, praying that the State may refund to certain persons who purchased Cherokee lands. The same was referred to the committee on Cherokee lands.

Mr. Hill presented a memorial from citizens of the county of Stokes, praying an act incorporating a plankroad from Winston to the Virginia line; which was referred to the committee on propositions on grievances.

Mr. G. M. White, a memorial from citizens of Bladen county, praying the passage of a law prohibiting the traffic in intoxicating liquors.

Mr. S. A. Williams moved to lay the same upon the table; which was disagreed to, and the memorial was referred to the committee on propositions and grievances.

Mr. Outlaw, from the committee on corporations, to whom was referred a bill to incorporate a mutual fire insurance company in the town of Charlotte, reported the same back to the House, with an amendment, and recommended its passage.

Mr. Outlaw, from the same committee, to whom was referred a bill to incorporate the Wilmington Steam Tug Company, reported the same back to the House, and recommended its passage.

Mr. Singeltary, from the same committee, to whom was refer red a bill to incorporate the East Fork Turnpike Company, reported the same back to the House, and recommended its passage.

Mr. Whitaker, from the same committee, to whom was referred a bill to amend the act incorporating the town of Plymouth, reported the same back to the House, and recommended its passage.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill to amend an act passed by the General Assembly

at the session of 1852, entitled an act to amend the 15th section, 31st chapter of the Revised Statutes, reported the same back to the House, with an amendment, and recommended its passage.

Mr. Dortch, from the same committee, to whom was referred a bill to exempt females from attending as witnesses in certain cases;

Also, the bill to amend an act passed at the session of 1840-'41, chapter 30th, entitled an act to prevent free persons of color from carrying fire-arms, reported the same back to the House, and recommended that they do not pass.

Mr. Dortch, from the same committee, to whom was referred the memorial of the grand jury of Rutherford county, praying the passage of a kaw limiting prosecutions for small offences, &c., reported the same back to the House, stating that it is inexpedient to alter the law, and asked to be discharged from its further consideration; which report was concurred in.

Mr. Dortch, from the same committee, to whom was referred the memorial of the grand jurors of Alexander, Rutherford and Yadkin counties in relation to the superior courts of the 6th and 7th judicial circuits, reported the same back to the House, and asked to be discharged from the further consideration thereof, and that they be laid upon the table; which report was concurred in.

Mr. Phillips, from the same committee, to whom was referred a bill to make killing of stock by railroad prima facie evidence of negligence, reported the same back to the House and recommended that it do not pass.

Mr. Shepherd, from the same committee, to whom was referred a bill to amend the act of 1808, entitled an act to regulate descents, reported the same back to the House with a statement that the matter of said bill has been considered by the committee on the Revised Statutes, and a bill would be reported by them, and the bill was laid on the table.

Mr. Shepherd, from the committee on finance, to whom was referred, a bill to amend an act entitled an act to increase the revenue of the State, reported the same back to the House and recommended that it do not pass.

Mr. Shepherd, from the same committee, presented a report upon accounts of the public treasurer, which report was concurred

in, and transmitted to the Senate with a proposition to print the same.

Mr. Lancaster, from the committee on private bills, to whom was referred a bill to provide for the better government of the town of Louisburg, reported the same back to the House with an amendment, and recommended its passage.

Mr. Lancaster, from the same committee, to whom was referred the memorial to emancipate Dolly and Caroline, slaves; and the memorial to emancipate Peter, a slave, reported the same back to the House and recommended that the prayer of the memorialists be not granted, which reports were received, and the memorials laid upon the table.

Mr. Winston introduced the following resolution, which was read and adopted:

Resolved, That a message be sent to the Senate proposing to increase the joint select committee on monuments to five members on the part of the House and three on the part of the Senate, which committee shall be styled the monumental committee; and it shall be the duty of said committee not only to take into consideration that part of the Governor's message which relates to monuments, but also what monuments ought to be erected in memory of the North Carolina heroes and patriots of the revolution, the places at which they should be erected, and the probable cost of said monuments.

On motion by Mr. Love,

Ordered, That a message be sent to the Senate proposing to go into an election for public treasurer to-day at one o'clock.

Mr. Horton introduced a bill to alter the county line between Caldwell and Watauga counties; which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Smith introduced a bill to establish the Bank of Halifax; which was read the first time and passed, and referred to the committee on banking.

Mr. Jones introduced a bill, giving to grand jurors in the county of Columbus, discretionary power in certain cases; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Myers introduced a bill to amend the charter of the Wes-

tern Plankroad Company; which was read the first time and passed, and referred to the committee on internal improvements.

Mr. Bogle introduced a bill to incorporate the United Baptist Institute, in the town of Taylorsville; which was read the first time and passed, and referred to the committee on corporations.

Mr. Perkins a bill accompanied by a memorial to emancipate Albert, a slave; which was read the first time and passed, and referred to the committee on propositions and grievances.

The House now proceeded to consider the resolution introduced on yesterday, relating to the order of business at the evening session. The same was modified so as to read:

That at the afternoon sessions of this House, until otherwise ordered, engrossed bills from the Senate shall first be taken up and read a first time; and after they are disposed of; then bills of this House on their first reading; then memorials, petitions, reports from committees, &c., &c.

The resolution was then adopted.

Mr. S. A. Williams offered the following resolution, which was rejected:

WHERAS, By the authority of this legislature, the doorkeeper has purchased a clock for the use of this House; and whereas, said clock, as to time, has never been right:

Resolved, That the doorkeeper of this House be required to cause said clock to keep correct time or take it from this Hall; dispose of it for what it will bring; pay over proceeds of said sale to the treasurer of this State, and take his receipt for the same.

Mr. L. Whitfield presented the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be directed to enquire into the expediency of so amending the statute of the State, as to prohibit free persons of color from hawking and pedling, and report by bill or otherwise.

Received from the Senate a message concurring in the proposition of the House to print the communication from the acting Governor, with the report from the superintendent of common schools.

Also a message proposing to raise a joint select committee of three, one from the Senate and two from the House, to wait upon his Excellency, Thomas Bragg, and inform him of his election as Governor of the State, and to ascertain when it will suit his convenience to appear before the two Houses, to take the oaths of office.

Also a message proposing to raise a joint select committee of four on the part of each House, who shall make suitable arrangements for the reception and inauguration of the Göverver elect, at such time as he may designate as being convenient for him, to take the oaths of office; which were severally concurred in, and the Senate informed thereof by message.

Received from the Senate a message concurring in the proposition to go into an election of treasurer of the State at one o'clock this day, and informing that Messrs. Herring and Willey, form the Senate branch of the committee to superintend the election; the Chair appointed Messrs. Love and J. H. White, on the part of the House.

The hour having arrived under the joint order to go into said election, Mr. Love nominated Daniel W. Courts of Rockingham for said office, and the Senate was informed thereof; the House then voted as follows:

For Mr. D. W. Courts:—Messrs. Speaker, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Cofield, Cotten, Craven, Daniel, Dargan, Davenport, Dortch, Dunn, Flynt, Garland, Gentry, Gorrell, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jenkins, Jones, Jordan, Lancaster, H. Leach, J. M. Leach, Long, Love, Lyon, McDuffie, McMillan, March, Martin, Mebane, Mordecai, Myers, J. W. Neal, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Selby, Settle, Sharpe, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Steele, Sutton, Thornburg, Turner, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—88,

Mr. Amis voted for Mr. Cansler.

Mr. Gilliam and Mr. Simmons voted for Mr. S. A. Williams.

Mr. Winston voted for Mr. Singeltary.

Received from the Senate a message concurring in the proposition to increase the joint select committee on monuments, and informing that Mr. Herring is added to said committee on the part of the Senate.

Also, informing that Mr. Person constitutes the Senate branch of the committee to inform the governor elect of his election; and the chair appointed Messrs. Singeltary and Baxter on the part of the House.

Also, a message informing that Messrs. Person, Morrisey, Sanders and Ashe form the Senate branch of the committee to make suitable arrangements for receiving and inaugurating the governor elect. The chair appointed Messrs. Yancey, Patterson, Martin and Shipp on the part of the House.

Mr. Patterson moved to reconsider the vote of yesterday, by which was passed the resolution authorizing the treasurer to pay over to the treasurer of the North Carolina Railroad Company the balance of the State's subscription; which was carried.

Mr. Patterson then offered the following amendment: Strike out the last proviso, and insert:

"And provided further, That the public treasurer be authorized to deduct from the amount that may be due to said company, on account of the balance of the State's subscription, double the amount of such individual subscriptions as may be found, on a thorough investigation by the public treasurer, to be unsold and insolvent."

Mr. Singeltary moved the indefinite postponement of the resolution; upon which Mr. C. W. Williams demanded the yeas and nays, which were ordered and taken, yeas 25, nays 71.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Blow, Bryant, J. G. Bynum, Daniel, Flynt, Gentry, Gilliam, M. Green, Harrison, Holland, Jenkins, Jones, Jordan, McDuffie, Martin, Shaw, Singeltary, Smallwood, G.M. White, J. H. White, N. B. Whitfield, C. W. Williams, T. H. Williams, and Wright—25.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, Barringer, Baxter, Black, Bogle, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Cofield, Cook, Craven, Dargan, Davenport, Dortch, Dunn, Garland, Gorrell, G. Green, A. D. Headen, J. H. Headen, Hill, Horton, Humphrey, Johnson, Lancaster, Hugh Leach, J. M. Leach, Long, Love, Lyon, McMillan,

Mann, March, Mebane, Mordecai, Myers, J. W. Neal, Patterson, Patton, Phillips, Rand, Roland, Rose, Russell, Selby, Settle, Shepherd, Sherrill, Shipp, Simmons, Smith, Steele, Sutton, Thornburg, Tomlinson, Turner, Waugh, Whitaker, S. A Wilhams, Winston, Yancey, L. Whitfield, Whitlock, Wilkins, and B. F. Williams—71.

So the House refused to indefinitely postpone.

Mr. Shepherd offered the following amendment:

Strike out all after the word resolve, and insert that the treasurer of the State be authorized to pay to the North Carolina Railroad Company the sum of two hundred and eighty thousand dollars, either in cash or bonds of the State at par, in settlement of the balance due on the last instalment of the State's subscription.

Pending the consideration of which, the hour arrived, under the rule, and the House took a recess.

Three o'clock, P. M.

Under the rule, the House now proceeded to consider engrossed bills from the Senate on their first reading.

A bill to compensate wardens of the poor of Mecklenburg county;

A bill to cede to the United States of America certain sites for light house purposes;

A bill to authorize the Nantahala and Tuckasege Turnpike Company to establish a toll bridge over the Tennessee River, in Macon county;

A bill to lay off and establish a county by the name of Polk;

A bill to make compensation to the justices of the peace for taking lists of taxable property;

A bill to incorporate the Yadkin Plankroad Company;

A bill to authorize the court of pleas and quarter sessions of the counties of Craven, Nash, Sampson, Stokes and Forsythe to pay the wardens of the poor;

A bill to authorize the county court of Macon to lay a tax on land in that county to defray the expenses of obtaining the right of way for a railroad located through that county;

A bill to provide for the issue of additional stock by the Seaboard and Roanoke Railroad Company; and

A bill to incorporate Union Academy, in the county of New Hanover, were severally read the first time and passed.

On motion by Mr. Sutton, the rules were suspended, and the nominations of Henry F. Bond, Richard L. Wooton, B. F. Pridgen and Samuel N. Croom, for justices of the peace, were taken from the table, and they were appointed justices of the peace for the county of Lenoir, and the same was transmitted to the Senate for their concurrence.

Mr. J, H. White, from the committee to superintend the election of treasurer, reported that Daniel W. Courts had received a majority of the votes given, and was duly elected, which report the House concurred in.

Received from the Senate a message informing that they have passed the engrossed bill to protect live stock from malicious destruction with the following amendment, "strike out the last section of said bill, which enacts that the same shall be in force from and after its ratification," the House concurred in the amendment, and ordered the bill as amended to be enrolled, and the Senate was informed thereof.

Received from the Senate a message informing that they have passed the engrossed bill to amend an act of the session of 1850, entitled an act to incorporate the Fayetteville and Northern Planktoad Company, with an amendment. The House concurred in the amendment, and ordered the bill to be enrolled, and the Senate was informed thereof.

An engrossed bill from the Senate to authorize the trustees of the Louisburg Female Academy to convey to the Louisburg Female College Company certain interest in the female academy grounds, was read the first time and passed.

On motion by Mr. Martin the rule was suspended, and the bill read the second and third time, passed, and ordered to be enrolled.

An engrossed bill from the Senate to emancipate John Good was read the first time, and

Mr. S. A. Williams moved that the same be rejected. The House refused to reject the bill, and it passed its first reading and was referred to the committee on private bills.

An engrossed resolution concerning the Cape Fear and Deep River Navigation Company was read the first time and passed.

An engrossed resolution in favor of David A. Ray & Co. was read the first time, passed and referred to the committee on claims.

Engrossed bill concerning abatement of suits;

Engrossed bill concerning agriculture and geology;

Engrossed bill concerning amendment of processs, &c;

Engrossed bill concerning appeals and proceedings, were severally read the first time and passed.

Mr. Outlaw moved that the House now adjourn, and

Mr. Bullock called for the yeas and nays, which were accordingly ordered and taken; yeas 43, nays 38.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Baxter, Black, Blow, Bogle, A. H. Caldwell, Carmichael, Cofield, Craven, Daniel, Davenport, G. Green, Harrison, Hill, Holland, Humphrey, Jarvis Jenkins, Jones, Lancaster, J. M. Leach, Love, McDuffie, Mann, March, Martin, Mebane, Mordecai, Outlaw, Patton, Roland, Russell, Shipp, Smallwood, Sutton, Tomlinson, Turner, Whitaker, Wilkins, B. F. Williams, D. Williams and Yancey—43.

Those who voted in the negative, were,

Messrs. A. Barnes, Bryant, Bryson, Bullock, D. F. Caldwell, Dunn, Flynt, Garland, Gentry, Gørrell, M. Green, J. H. Headen, Horton, H. Leach, Long, Lyon, McMillan, Myers, J. W. Neal, Patterson, Perkins, Settle, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smith, Thornburg, Waugh, G. M. White, J. H. White, L. Whitfield, Whitlock, C. W. Williams, S. A. Williams and Wright—38.

The Speaker now announced the House adjourned to to-morrow morning 10 o'clock.

FRIDAY, DECEMBER 22, 1854.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill to alter the time of holding the courts of pleas and quarter sessions for the county of Hyde, reported the same back to the House with an amendment, and recommended its passage.

Mr. Whitaker, from the committee on corporations, to whom was referred a bill to release certain persons from working the Asheville and Greenville Plank Road in the county of Bun-

combe, reported the same back to the House and recommended its passage.

Mr. A. H. Caldwell, from the same committee, to whom was referred a bill to incorporate the Central Gold and Copper Mining Company of North Carolina, reported the same back to the House, and recommended its passage.

Mr. S. A. Williams submitted the following resolution:

WHEREAS, The present flag on this capitol is a disgrace to the proud spirit of liberty and republicanism, which we the people of this State profess and glory in:

Resolved, That the State librarian be required to furnish a national flag for the use of this capitol, and be authorized to draw on the public treasurer for payment for the same.

The same was read the first time and passed.

On motion by Mr. Amis,

Ordered, That the doorkeeper of the House have the clock belonging to this Hall, placed on the wall to the left of the Speaker's chair.

Mr. Bryson submitted a resolution in favor of E. D. Davis, sheriff of Jackson county; which was read the first time and passed, and referred to the committee on claims.

Mr. Roland introduced a bill to incorporate the Valley and Cheoih Turnpike Company; which was read the first time and passed, and referred to the committee on corporations.

Mr. Bogle a bill to incorporate the North Carolina and Western Railroad Company; the same was read the first time and passed, and referred to the committee on internal improvements.

Mr. Waugh a bill to incorporate a bank in the town of Salem; the same was read the first time and passed, and referred to the committee on banking, and ordered to be printed.

Mr. Phillips, from the committee on the Revised Statutes, to whom was referred the resolution instructing them to prepare a plan for the action of this House, in reference to the re-enactment of the Revised Statutes, to avoid a conflict between the provisions contained in the revisal and the acts which may be passed by the present General Assembly, reported thereon; which report was read and adopted, and ordered to be printed.

Mr. Whitlock introduced a bill to incorporate a female institute,

in the town of Rockford; and the same was read the first time and passed, and referred to the committee on corporations.

Mr. Bullock a bill to amend the charter of the town of Henderson, in the county of Granville; which was read the first time and passed, and referred to the committee on corporations.

Mr. McMillan a bill to encourage the formation of a military uniform company, in the town of Wilmington; which was read the first time and passed, and referred to the committee on military affairs.

Mr. Myers, a bill concerning constables; which was read the first time and passed, and referred to the committee on the Judiciary.

Mr. Simmons, a bill to incorporate the Trent River Navigation Company; which was read the first time and passed, and referred to the committee on corporations.

Mr. Bryson, a bill to authorise the collection of arrearages of taxes in Jackson county; which was read the first time and passed, and referred to the committee on claims.

The House now resumed the consideration of the unfinished business of yesterday, being the resolution authorizing the treasurer of the State to pay over to the treasurer of the North Carolina Railroad Company the balance of the State's subscription to said company, and the pending amendments.

Me. Singeltary asked for a division of the question, and moved that the question be first taken on striking out; which was determined in the affirmative, yeas 53, nays 26.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, Bullock, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Dargan, Dortch, Dunn, Garland, Gorrell, G. Green, J. H. Headen, Hill, Holland, Horton, Jordan, Lancaster, H. Leach, Lyon, March, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Settle, Shepherd, Simmons, Smith, Steele, Sutton, Thornburg, Turner, Whitaker, L. Whitfield, Wilkins, B. F. Williams, T. H. Williams and Yancey—53.

Those who voted in the negative, were,

Messrs, Badham, A. Barnes, J. Barnes, Blow, Daniel, Gentry, M. Green, Jenkins, Jones, Long, Mann, Martin, Shaw, Sherrill,

Singeltary, Smallwood, Tomlinson, Waugh, G. M. White, J. H. White, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams and Wright—26.

The question then recurring upon inserting the amendment submitted by Mr. Shepherd, was determined in the affirmative, yeas 49, nays 31. The yeas and nays demanded by Mr. B. F. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, Bryson, Bullock, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Dargan, Dortch, Dunn, Gorrell, G. Green, J. H. Headen, Hill, Holland, Horton, Jordan, Lancaster, H. Leach, Long, Lyon, McMillan, March, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Patterson, Patton, Perkins, Rand, Roland, Rose, Russell, Shepherd, Simmons, Smith, Steele, Sutton, Thornburg, Turner, Whitaker, Wilkins, T. H. Williams—49.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Daniel, Garland, Gentry, M. Green, Jenkins, Jones, Mann, Martin, Phillips, Settle, Shaw, Sherrill, Singeltary, Smallwood, Tomlinson, Waugh, G. M. White, J. H. White, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—31.

So the amendment was adopted, and the resolution as amended, passed its third reading.

Mr. Dortch moved that the rule be suspended, and the resolution transmitted to the Senate for their concurrence in the amendment.

Mr. Singeltary objected and demanded the yeas and nays, which were ordered and taken; yeas 61, nays 15.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, Bullock, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Dargan, Dortch, Dunn, Gorrell, G. Green, M. Green, J. H. Headen, J. F. Hill, Holland, Jenkins, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, McDuffie, Mann, March, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Settle, Shaw, Shepherd, Simmons, Smallwood, Smith, Steele,

Sutton, Thornburg, Tomlinson, Turner, Whitaker, Wilkins, B. F. Williams, S. A. Williams and T. H. Williams—61.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Gentry, Martin, Singeltary, Waugh, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, Wright and Yancey—15.

Two thirds of the members present voting in the affirmative, the motion was carried.

An engrossed resolution in favor of Wm. W. Holden and John H. Decarteret was read the second time and passed; and,

On motion by Mr. Jenkins, the rule was suspended, and the resolution was read the third time, passed, and ordered to be enrolled.

On motion by Mr. Baxter, the bill to incorporate the Broad River Railroad Company, was taken up and made the special order for Wednesday week at 12 o'clock;

Also the bill to incorporate the French Broad Railroad Company, made the special order for Thursday week at 12 o'clock.

A bill to amend the several acts chartering the Asheville and Greenville Plankroad Company, was read the second time and passed; and

On motion by Mr. Baxter, the rules were suspended, and the bill was read the third time and passed, and ordered to be engrossed.

The bill in relation to county courts, was read the second time and passed; and

On motion by Mr. Phillips, the same was referred to the committee on the revisal.

The bill to amend act of the session of 1852, entitled an act concerning the place of trial for civil process before justices of the peace, was read the second time, and amended by

Mr. Carmichael inserting Wilkes; and by

Mr. Yancey inserting Madison, so as to read, "counties of;" which amendments were agreed to, and the bill, as amended, passed its second reading.

On motion by Mr. Shepherd, the rules were suspended, and the bill read the third time and passed, and ordered to be engrossed.

A bill to give courts of law jurisdiction over sales of real and

personal property belonging to wards, was read the second time;

On motion by Mr. Barringer, laid upon the table.

On motion by Mr. Patterson, the bill to extend the time for perfecting titles to lands heretofore entered, was taken up, and Mr. Singeltary moved to amend the same by striking out all that portion of the bill relating to extending the time of payment.

Pending the consideration thereof, the House,

On motion by Mr. S. A. Williams, adjourned under the joint order of both Houses, until Tuesday next, 10 o'clock, A. M.

TUESDAY, DECEMBER 26, 1854.

The House met pursuant to adjournment, under the joint resolution of Friday last; no quorum appearing,

On motion by Mr. Barringer, the House adjourned to to-morrow morning 10 o'clock.

WEDNESDAY, DECEMBER 27, 1854.

The House met pursuant to adjournment; no quorum of the members yet appearing,

On motion of Mr. Stubbs, the House adjourned to to-morrow morning 11 o'clock.

THURSDAY, DECEMBER 28, 1854.

The House met pursuant to adjournment; no quorum of the members yet appearing,

Mr. Jenkins moved that the House take a recess until three o'clock this evening; the motion was disagreed to.

Mr. Roland moved a call of the House, which was disagreed to.

Mr. Bryson moved that the House adjourn to to morrow morning 10 o'clock; which motion was lost.

Mr. Shepherd moved that the House take a recess until three o'clock this evening; which was agreed to.

FRIDAY, DECEMBER 29, 1854.

Mr. Shepherd presented a memorial from citizens of Cumberland county, praying the passage of a law prohibiting the traffic in intoxicating liquors; Mr. Roland, a like memorial from citizens of the county of Cherokee;

Mr. Dunn, a like memorial from citizens of Union county;

Mr. C. W. Williams, a like memorial from citizens of the county of Yadkin;

Mr. J. H. White, a like memorial from citizens of the county of Gaston;

Mr. Hugh Leach, a like memorial from citizens of the county of Moore.

Mr. Patterson, a like memorial from citizens of the county of Caldwell;

Which were severally referred to the committee on propositions and grievances.

Mr. Roland submitted a resolution in favor of Robert Martin of Cherokee county. The same was read the first time, passed and referred to the committee on claims.

Mr. Dunn presented a resolution in favor of Darling Rushing, late sheriff of Union county; which was read the first time, passed, and referred to the committee on claims.

Mr. Patterson submitted the following resolution:

Resolved, That the resolution of this House, adopted on the 16th instant, prescribing the character of the business which should be taken up and acted on between the 23d December instant and the 4th of January next, be and the same is hereby rescinded.

On his motion the same was laid on the table.

Mr. Whitaker submitted the following resolution; which was read and adopted:

Resolved, That the committee on finance be instructed to inquire into the expediency of selling the lots belonging to the State within or near the city of Raleigh, and report by bill or otherwise.

Mr. Barringer introduced a bill to punish placing obstructions on railroad tracks, and for other purposes. Read the first time, passed, and referred to the committee on the judiciary, and ordered to be printed.

Mr. Vance, a bill to abolish the militia system; which was read the first time, passed, and referred to the committee on military affairs.

Mr. Lancaster, a bill to authorize and compel discoveries in

courts of law, in certain cases; which was read the first time, passed, and referred to the committee on the Revised Statutes.

Mr. Whitaker submitted a resolution in favor of Bartlett Upchurch; which was read the first time, passed, and referred to the committee on claims.

On motion of Mr. D. F. Caldwell, the bill to charter the People's Bank of the State of North Carolina was taken up, and made the special order for the 2d of January next, at 12 o'clock.

The engrossed resolution from the Senate, in favor of John Green; and a resolution in favor of Wm. H. High, sheriff of Wake county, were severally read the third time, passed, and ordered to be engrossed.

The Speaker laid before the House messages from the Senate transmitting the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning asylums;

A bill concerning attachments;

A bill concerning attorney general and solicitors;

A bill concerning attorneys at law;

A bill concerning auctioneers and auctions;

A bill concerning bail;

A bill concerning apprentices;

A bill concerning burning woods and hunting;

A bill concerning cattle, horses and hogs;

A bill concerning charities;

A bill concerning clerks and masters in equity;

A bill concerning commissioners of affidavits and probate of deeds;

A bill concerning common law;

A bill concerning comptroller;

A bill concerning constables;

A bill concerning clerks of the county and superior courts;

A bill concerning bastard children;

A bill concerning bills, bonds and promissory notes;

A bill concerning boats and canoes;

A bill concerning book debts;

A bill concerning coroners;

A bill concerning corporations;

A bill concerning county boundaries;

A bill concerning county revenue and charges;

A bill concerning county trustees;

A bill concerning court-houses, prisons, &c.;

A bill concerning courts of equity;

A bill concerning the supreme court;

A bill concerning currency; and

A bill concerning descents, which were severally read the first time and passed.

A bill to incorporate a Mutual Fire Insurance Company in the town of Charlotte was read the second time and the amendments reported by the committee were adopted, and the bill as amended passed its second reading.

On motion by Mr. G. M. White, the rules were suspended, and the same was read the third time, passed and ordered to be engrossed.

A bill to encourage the killing of wolves in Jackson county; and

A bill to authorize the county court of Henderson to sell and convey lands owned by the county, were severally read the second time and passed, and on motion, the rules were suspended, and they were severally read the third time, passed and ordered to be engrossed.

The House now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The following bills were read the second time and passed, and on motion, the rules were suspended, and they were severally read the third time, passed and ordered to be engrossed, viz:

A bill empowering the county court of Yadkin to appoint superintendents of common schools, and concerning the distribution of the school fund:

A bill to amend the charter of the town of Charlotte;

A bill to lay off and establish a public road in the county of Rowan;

A bill to incorporate the town of Newton in the county of Catawba;

A bill concerning Haw River in Alamance county;

A bill to prevent the felling and putting timbers in Haw and and the Great Alamance Rivers, in the county of Alamance;

A bill concerning public roads in the county of Watauga;

A bill for the better regulation of the town of Franklinsville in the county of Randolph;

A bill to incorporate the Wilmington Steam Tug Company.

A resolution in favor of Thomas I. Judkins, sheriff of Warren county, was read the second time, and passed.

A resolution in favor of Henry Nutt, was read the second time, and passed.

On motion, the rules were suspended, and the same was read the third time, passed, and ordered to be engrossed.

A resolution in favor of Jasper Tinnin, was read the second time, and passed.

On motion, the rules were suspended; the same was read the third time, passed, and ordered to be engrossed.

A bill declaring what number of the justices of the peace of the county of Randolph shall constitute a quorum in certain cases, was read the second time, and amended by inserting "Alamance and Cumberland," so as to make the bill read "counties of" instead of "county of;" the bill then passed as amended its second reading, and on motion, the rules were suspended, and the same was read the third time, passed, and ordered to be engrossed.

A bill to pay the wardens of the poor in the county of Alamance, was read the second time, and amended by Mr. N. B. Whitfield, adding Duplin county and the title of the bill, so as to read, "counties of"; the bill as amended, passed its second reading, and on motion, the rules were suspended, and the same was read the third time, passed, and ordered to be engrossed.

The following bills were read the second time and laid upon the table, viz:

A bill to emancipate Louis a slave;

A bill to emancipate Betty a slave;

A bill to emancipate Abram a slave;

A bill to authorize gates across the public roads in Green River Cove in Henderson county, was read the second time, and passed.

A bill to incorporate the Holston Conference Female College, in the town of Asheville, and

A bill to release certain persons from working the Asheville and

Greenville Plankroad, were taken up, and on motion by Mr. Vance laid on the table.

A bill to provide for the better government of the town of Louisburg in the county of Franklin, was read the second time, and laid upon the table.

A bill to prevent the ranging of stock from any other county, in the county of Yancey, was read the second time, passed, and amended; on motion, the rules were suspended, and the same was read the third time, and on motion of Mr. Patterson, laid upon the table.

On motion by Mr. J. H. Headen, the House adjourned to tomorrow morning, 10 o'clock.

SATURDAY, DECEMBER 30, 1854.

On motion by Mr. Barringer,

Ordered, That the journal be corrected, so as to omit all the proceedings had on a call of the House on yesterday.

Mr. Cansler presented a memorial praying the passage of a law prohibiting the traffic in intoxicating liquors, from citizens of the county of Lincoln;

Mr. J. G. Bynum, a like memorial from citizens of the county of Rutherford;

Mr. Carmichael, a memorial in favor of Solomon Lyon from citizens of Wilkes county;

Mr. Stubbs, a memorial from citizens of the county of Beaufort in relation to the county court of that county; which were severally referred to the committee on propositions and grievances.

Mr. Stubbs presented a memorial in relation to common schools, which was referred to the committee on education.

Mr. Settle, from the committee on claims, reported favorably upon the resolution in favor of S. W. Chadwick;

Also favorably upon the resolution in favor of E. D. Davis, with an amendment, which were severally read the second time and passed; and, on motion, the rule was suspended, and they were read the third time, passed, and ordered to be engrossed.

Mr. Settle, from the same committee, to whom was referred the bill to authorize the collection of arrears of taxes in Jackson county, reported the same back to the House, and recommended its passage; the same was read the second time and passed.

On motion by Mr. Bryson, the rules were suspended, and the same was read the third time, passed, and ordered to be engrossed.

Mr. Settle, from the same committee, to whom was referred the resolution in favor of Robert Martin, reported the same back to the House, and recommended its passage. The same was read the second time and passed.

Mr. Settle, from the same committee, to whom was referred the resolution in favor of J. F. Abernathy, reported the same back to the House, and recommended that it do not pass.

Mr. Lancaster, from the committee on private bills, to whom was referred a bill to repeal a portion of the 2d section of the 16th chapter of the Revised Statutes, entitled an act concerning the burning of woods, reported the same back to the House, and recommended its passage.

Mr. Lancaster, from the same committee, to whom was referred a bill in favor of Wm. A. Brooks, of Hyde county, reported the same back to the House, and recommended that it do not pass.

Mr. Yancey, from the committee appointed to make arrangements for the inauguration of the Governor elect, submitted the following report, which was read and concurred in:

The committee appointed to make arrangements for the inauguration of the Governor elect, ask leave to make the following report:

That the Speakers of the two Houses will occupy the place at the Speaker's table in the Commons Hall, and that the Governor elect and the chief justice of the supreme court, will occupy the place at the clerk's table; the remaining judges of the supreme court will occupy the seats directly in front of the clerk's table, and the committee of arrangements immediately in front of the judges of the supreme court.

The members of the Senate will sit on the right of the Speaker's chair in the Commons hall, which will be set apart for that purpose; and after the Governor elect shall have taken and subscribed the oaths of office in the presence of the members of both branches of the General Assembly, the Speaker of the Senate will announce that the Senators will retire to the Senate chamber; and thereupon the Governor, judges and committee of arrange-

ments will first retire, and the Speaker of the Senate will retire at the head of the members of the Senate.

JOHN YANCEY,

Chairman of com. on part of House of Commons.

Mr. Myers introduced a resolution in favor of Thomas N. Alexander; and

Mr. Holland, a resolution in favor of J. W. Irwin, administrator of C. P. Wilkins, which were severally read the first time, passed, and referred to the committee on claims.

Mr. Blow introduced a bill to amend an act passed at the session of 1850-'51, entitled an act for the better regulation of the town of Wilson, in the county of Edgecombe, which was read the first time and passed; on motion the rules were suspended, and the bill read the second and third time, passed and ordered to be engrossed.

Mr. McKesson, a bill to incorporate the Laurel Turnpike Company; the same was read the first time, passed and referred to the committee on internal improvement.

Mr. Stubbs, a bill to amend the seventh section of an act entitled an act to establish a bank in the town of Washington, in the county of Beaufort; and

A bill to prescribe the place to which notice to an endorser of the dishonor of bills of exchange may be directed and sent in certain cases; the same were severally read the first time, passed and referred to the committee on the judiciary.

On motion of Mr. Myers, the vote by which the bill to amend the charter of the town of Charlotte was passed was reconsidered, and thereupon he offered the following amendment, which was read and adopted:

Be it enacted, That the commissioners of the town of Charlotte are hereby empowered, and it shall be their duty, to appoint annually three freeholders, citizens of said town, whose duty it shall be to assess the real value of all the town lots situated within the corporate limits of said town, which said lots shall be taxed according to said valuation; and that said assessors, before proceeding to discharge the duties assigned them, shall take an oath before the intendant of said town, that they will fairly and impartially assess the value of all the lots within said town.

Be it further enacted, That the commissioners of said town shall have power to cause the side walks to be curbed and paved, and to recover from the owner or occupier of the lots in front of which such curbing and paving shall be made, the expense of the work; which expense shall be a lien on the lot: Provided, always, That the owner before whose lot such curbing and paving shall have been ordered, shall have thirty day's notice in writing of such order of the commissioners: And provided, further, That when the commissioners order the side walks to be paved, no owner of a lot shall be required to pave but half of the walk in front of his lot; the other half to be paved at the expense of the town.

The bill was amended, passed its second reading and ordered to be engrossed.

On motion by Mr. Vance, the bill to prevent the ranging of stock from any other county in Yancy county, was taken from the table, and amended as follows: by striking out "twenty-five acres," in the fourth section, and inserting "one hundred" and by striking out entirely the clause exempting persons who own, in Yancy county two hundred dollars worth of personal property. Strike out section 3, and insert the following:

"Be it further enacted, That, whenever any warrant or writ is issued against any person for the said penalty, and the sheriff, or other officer, shall make a return upon the same, of non est inventus, then it shall be lawful for the officer to seize upon and take into his keeping, all such cattle, horses or mules, so found at large; and, upon giving notice, by advettising at two or more public places in said county, for ten days preceding, he shall proceed to sell such stock at public auction to the highest bidder, the proceeds of which sale shall be applied to the payment of the said penalty and all necessary costs, and the remainder, if any, paid to the owner of said stock: Provided, That the owner shall have power to replevy said stock, at any time between the seizure thereof and the sale, upon payment of the penalty and costs, or upon giving the usual bond in cases of replevin.

The bill, as then amended, was read the third time, passed and ordered to be engrossed.

Mr. Stubbs introduced a bill concerning fishing in Tar and

Pamlico rivers. The same was read the first time, passed and referred to the committee on propositions and grievances.

Mr. G. M. White, a bill to regulate the sale of grain, meal and salt; which was read the first time, passed, and referred to the committee on agriculture.

Mr. Black, a bill to increase the capital stock of the bank of Charlotte; which was read the first time, passed and referred to the committee on banking.

Mr. Dortch submitted the following resolution; which was read and adopted:

Resolved, That the committee on finance be instructed to inquire into the propriety of taxing all forwarding express companies, especially such as are engaged in forwarding gold, silver or bank bills.

Mr. Geo. Green submitted the following resolution, which was read and adopted:

Resolved, That the committee on finance be instructed to enquire into the expediency of authorising the several county courts of this State, to tax for county purposes, all things now taxable for State purposes.

Mr. Baxter submitted the following resolution:

Whereas, In the opinion of this General Assembly, no bank unconnected with railroads or other internal improvement projects, ought to be created; have its charter renewed or extended; its capital increased, or powers and privileges enlarged, without an equivalent to the State:

Be it therefore resolved, That the joint committee on banks be, and they are hereby instructed to prepare and report amendments to each of the bills now pending before this General Assembly, proposing to create, renew or extend the charter, increase the capital stock or enlarge the powers and privileges of any such bank, so as to secure to the State as a bonus, a portion of the capital stock in the same.

The same was read, and on his motion, laid upon the table and ordered to be printed.

An engrossed resolution from the Senate in favor of David A. Ray & Co., was read the third time, passed and ordered to be enrolled.

* A bill to authorize gates across the public road in Green River Cove in Henderson county, was read the third time; upon the passage of which Mr. Baxter demanded the yeas and nays, which were accordingly ordered and taken, and the bill passed its third reading; yeas 48, nays 16.

Those who voted in the affirmative, were,

Messrs, Barringer, Baxter, Blow, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Flynt, Furr, Garland, Gentry, G. Green, J. H. Headen, Hill, Holland, Horton, Jones, Lancaster, H. Leach, Love, Mc-Kesson, March, Mordecai, S. J. Neal, Patterson, Patton, Phillips, Rand, Roland, Russell, Settle, Sherrill, Stubbs, Thornburg, Tomlinson, Turner, Vance, Whitaker, J. H. White, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams and Wright—48.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, Black, Cotten, Daughtry, Dortch, Dunn, Humphrey, Jarvis, Jenkins, Myers, Shaw, Shepherd, Smallwood, Waugh and G. M. White—16.

Ordered, That said bill be engrossed.

A resolution in favor of Thomas I. Judkins was read the third time, passed and ordered to be engressed.

An engrossed bill from the Senate to incorporate Union Academy in the county of New Hanover and for other purposes, was read the second time and passed; on motion, the rules were suspended and the same was read the third time, passed and ordered to be enrolled.

An engrossed bill from the Senate, to authorize the county court of Macon, to lay a tax on land in that county, to defray the expenses of obtaining the right of way for the railroad located through that county, was read the second time, passed, and, on motion, the rules were suspended, and the same was read the third time, and,

On motion by Mr. Shepherd, laid on the table.

The following engrossed bills from the Senate, were taken up, read the second time and passed:

A bill concerning appeals, and proceedings in the nature of appeals;

A bill concerning amendment of process, &c.;

A bill concerning agriculture and geology;

A bill concerning abatement of suits;

A bill concerning apprentices;

A bill concerning asylums;

A bill concerning attachment;

A bill concerning attorney general and solicitors;

A bill concerning attorneys at law;

A bill concerning auctions and auctioneers;

A bill concerning bail;

A bill concerning bastard children;

A bill concerning bill bonds and promissory notes;

A bill concerning boats and canoes;

A bill concerning book debts;

A bill concerning burning woods and hunting;

A bill concerning cattle, horses and hogs;

A bill concerning charities; and

A bill concerning clerks of the county and superior courts.

On motion by Mr. Patterson,

Ordered, That the report of the joint select committee to make arrangement for inaugurating the Governor elect, be transmitted to the Senate for their concurrence.

Mr. Baxter moved that this House do now adjourn; upon which,

Mr. Myers called for the yeas and nays, which was determined; yeas 22, nays 22; the Speaker voting in the negative, the motion was lost.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Baxter, Blow, Bogle, D. F. Caldwell, Carmichael, Chadwick, J. H. Headen, Jones, Love, March, Mordecai, S. J. Neal, Patton, Phillips, Roland, Russell, Stubbs, Thornburg, Vance, Whitaker and J. H. White—22.

Those who voted in the negative, were,

Messrs. Bryson, Daughtry, Dunn, Furr, Garland, Gentry, Holland, Humphrey, Jarvis, Jenktns, H. Leach, Myers, Patterson, Shepherd, Sherrill, Smallwood, Waugh, N. B. Whitfield, Whitlock, C. W. Williams, Wright and Yancey—22.

Mr. Love moved that this House do now adjourn until Monday morning 10 o'clock; upon which,

Mr. Waugh demanded the yeas and nays, which were ordered; and

Pending the call of the roll, the Speaker announced that the hour had arrived, under the rule, to take a recess.

So the further call of the roll was dispensed with, and the House took a recess.

Three o'clock, P. M.

The following engrossed bills from the Senate, were read the second time and passed:

A bill concerning clerks and masters in equity;

A bill concerning commissioners of affidavits and probate of deeds;

A bill concerning common law;

A bill concerning comptroller;

A bill concerning constables;

A bill concerning corroners;

A bill concerning corporations;

A bill concerning county boundaries;

A bill concerning county revenue and charges;

A bill concerning county trustee;

A bill concerning court houses, prisons, &c :

A bill concerning courts of equity;

A bill concerning the supreme court;

A bill concerning currency; and

A bill concerning descents.

Mr. Patterson introduced a bill to limit the entries of public lands; the same was read the first time, passed and referred to the committee on the revisal of the statutes.

Mr. Humphrey presented the following resolution, which was read and adopted;

Resolved, That that portion of the Governor's message which relate to "common public highways," be referred to the committee on propositions and grievances.

Mr. Barringer submitted the following resolution, which was read and adopted:

Resolved, That the Speaker of the two Houses of the General Assembly, be directed to reply to the invitation of the citizens of Salisbury, requesting the Legislature to attend a celebration at that place on the 4th proximo; respectfully declining the same, and returning the thanks of the Legislature to the citizens of that town for their proffered hospitality.

Mr. J. G. Bynum presented the following resolution, which was read, and on motion of Mr. Settle, laid upon the table:

Resolved, That the committee on printing be instructed to enquire and report the cause of the delay in printing the orders of the General Assembly, directing the printing of bills, reports and other documents, and what action is necessary to procure the more speedy printing of papers for the use of the General Assembly, so as to expedite the public business.

Mr. B. F. Williams moved an adjournment of the House, upon which

Mr. J. G. Bynum demanded the yeas and nays, which were ordered and taken; yeas 27, nays 29.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Baxter, Blow, Bogle, D. F. Caldwell, Cansler, Dunn, Flynt, Fnrr, Hill, Horton, McKesson, Patterson, Phillips, Roland, Russell, Selby, Shepherd, Sherrill, Smallwood, Thornburg, Turner, Waugh, J. H. White, N. B. Whitfield and Wright—27.

Those who voted in the negative, were,

Messrs. A. Barnes, Black, Bryson, J. G. Bynum, Chadwick, Daughtry, Garland, Gentry, G. Green, J. H. Headen, Holland, Humphrey, Jarvis, Jenkins, H. Leach, Love, Myers, S. J. Neal, Settle, Simmons, Stubbs, Vance, Walser, Whitaker, Whitlock, Wilkins, B. F. Williams, C. W. Williams and Yancey—29.

It appearing that a quorum of the members was not present, the House adjourned to Monday morning, 10 o'clock.

MONDAY, JANUARY 1, 1855.

'The Chair announced the following committee on enrolled bills: Messrs. Shepherd, Phillips, Bullock, Vance and J. H. White.

Mr. Baxter, from the committee appointed to wait upon the Governor elect, and ascertain when it would suit his convenience to appear before the two Houses of the General Assembly, to be inaugurated, reported that his Excellency had appointed this day, at twelve o'clock.

Mr. Barringer presented the resignation of John Furr, as a justice of the peace for the county of Stanly; the same was read, received, and transmitted to the Senate.

Mr. Holland presented a memorial from citizens of the county of Cleaveland, praying the passage of a law prohibiting the traffic in intoxicating liquors; the same was referred to the committee on propositions and grievances.

Mr. Myers, a memorial praying the enactment of a law giving to mechanics a lien on houses erected or repaired, &c., which was read and referred to the committee on the judiciary.

Mr. Bogle, a memorial from citizens of Alexander county, praying the General Assembly not to pass any prohibitory liquor law, which was read, and

Mr. Mordecai moved that the same be printed, upon which

Mr. Bogle demanded the yeas and nays, which were ordered, and determined in the affirmative; yeas 41, nays 36.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, Baxter, Black, Blow, Bryson, J. G. Bynum, A. H. Caldwell, Chadwick, Cook, Craven, Dargan, Daughtry, Flynt, George Green, A. D. Headen, J. H. Headen, Holland, Horton, Jarvis, Jenkins, Jones, Lancaster, Lyon, McDuffie, McKesson, March, Mordecai, Patton, Roland, Rose, Russell, Settle, Sharpe, Sherrill, Shipp, Smallwood, Waugh, J. H. White, S. A. Williams and Wright—41.

Those who voted in the negative, were,

Messrs. Badham, Barringer, Bogle, Bullock, D. F. Caldwell, Cansler, Carmichael, Dunn, Furr, Gentry, J. F. Hill, Houston, Humphrey, Hugh Leach, Love, Martin, Myers, S. J. Neal, Patterson, Rand, Selby, Shepherd, Simmons, Stubbs, Thornburg, Turner, Vance, Walser, Whitaker, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams and Yancey—36.

The memorial was then referred to the committee on propositions and grievances.

Mr. Roland moved to reconsider the vote by which the said memorial was ordered to be printed, which was carried, and the question then recurring upon the original motion, it was lost.

Received from the Senate a message informing that Messrs. Davis and Faison are substituted in place of Messrs. Ashe and Person on the joint committee of arrangements to receive the Governor elect, &c.

Mr. Shepherd, from the committee on finance, to whom was

referred the resolution of instruction, directing them to enquire into the expediency of providing by law, that hereafter all public monies for the current expenses and all other liabilities of the State, shall be appropriated biennially by regular acts of appropriations, at each session of the General Assembly, designating specifically the amount and object of each appropriation; reported that no legislation is necessary on the subject, and assigning reasons therefor; which report was received, and the report and resolution laid upon the table.

Mr. Stubbs submitted the following resolution:

Resolved, That the committee on the judiciary be instructed to prepare and report to this House, a bill to abolish jury trials in the courts of pleas and quarter sessions, and to provide for the holding of three terms of the superior court of law and equity in the several counties of this State.

And on his motion, the same was laid upon the table.

Mr. Shepherd introduced a bill relative to the wilful destruction of corner trees or corner stones, to surveys of land in this State, which was read the first time, passed and referred to the committee on the judiciary.

Mr. Yancey, a bill to number the west regiment of Madison county, &c; which was read the first time and passed; on motion, the rules were suspended and the same was read the second and third time, passed and ordered to be engrossed.

Mr. Myers, a bill in favor of Thomas A. Alexander, late sheriff of Mecklenburg county; which was read the first time and passed.

Mr. Garland, a bill appointing commissioners in Watauga and Yancey counties, to lay off a public road from the Tennessee line to the county line of McDowell county; the same was read the first time and passed.

Mr. A. H. Caldwell, a bill to open a public road in Rowan county; the same was read the first time, passed and referred to the committee on propositions and grievances.

Mr. Gentry, a bill to aid in the completion of the road from Vanoy's Mills, through Ashe to the Virginia line; the same was read the first time, passed and referred to the committee on internal improvement.

The Speaker laid before the House a communication from Warren Winslow, acting Governor, transmitting the report of the

President and Directors of the board of internal improvement; which was read and on motion by Mr. Shepherd, transmitted to the Senate.

Also a communication in reply to a resolution of this House, in relation to repairing and preserving the public buildings; giving information on that subject.

On motion by Mr. Myers,

Ordered, That a message be sent to the Senate, proposing to raise a joint select committee of five on the part of the House, and three on the part of the Senate, to take into consideration the public buildings.

A bill in favor of Wm. N. Brooks, of Hyde county; and

A resolution in favor of Jacob F. Abernathy, were taken up, and, on motion, laid upon the table.

A resolution in favor of Robert Martin was read the third time, passed, and ordered to be engrossed.

A bill to amend the act incorporating the town of Plymouth, was read the second time, passed, and, on motion, the rules were suspended, and the same was read the third time, passed and ordered to be engrossed.

An engrossed bill from the Senate to compensate the wardens of the poor in Mecklenburg county, was read the second time and passed; on motion, the rules were suspended, and the same was read the third time, passed and ordered to be enrolled.

An engrossed bill from the Senate concerning abatements of suits, and

An engrossed bill concerning amendments of process, &c; were severally read the third time and passed, and ordered to be enrolled.

The hour having now arrived, at which by the joint order of the two Houses, they were to proceed to the inauguration of the Governor elect, a message was accordingly sent to the Senate informing that body of the readiness of the House of Commons to receive them for this purpose in the Hall of the House.

The Senate therefore appeared in the Commons Hall, and were received by the members of the House standing, uncovered.

The Speaker of the Senate took his seat with the Speaker of the House, at the Speaker's desk.

The Senators took their seats in the right of the Speaker's Chair, according to the arrangement heretofore made.

And then Thomas Bragg, Esq., Governor elect, attended by the Judges of the supreme court, and the committee of arrangements, waited upon the convention of the two Houses, took and subscribed the oaths of office, prescribed by law for the qualification of the Governor of the State; the oaths having been administered by the Hon. Chief Justice Nash, the Governor addressed the members of the General Assembly, in a neat and appropriate manner.

Whereupon, he, attended by the committee of arrangements, having retired, the Speaker of the Senate announced that the Senate would retire to their chamber, which was accordingly done.

The Senate having retired, on motion by Mr. Barringer, the House adjourned to to-morrow morning 10 o'clock.

TUESDAY, JANUARY 2, 1855.

Mr. Long presented a memorial from citizens of the county of Caswell, praying the passage of a law prohibiting the traffic in intoxicating liquors.

Mr. Rand, a like memorial from citizens of the county of Wake; the same were referred to the committee on propositions and grievances.

Mr. Dortch presented the pension certificates of Sarah Peacock, David Hunt and Jemima Evans, to be countersigned by the Speaker; the same were referred to the committee on claims.

Mr. Cansler, from the committee on internal improvement, to whom was referred a bill to amend the charter of the Wertern Plankroad Company, reported the same back to the House, and recommended its passage; the same was read the second time and passed; the rules were suspended and the bill was read the third time, passed and ordred to be engrossed.

Mr. Cansler, from the same committee, to whom was referred a bill to incorporate the Alexandriana Plankroad Company, reported the same back to the House and recommended its passage; which report was received.

Mr. Baxter submitted a resolution in favor of Warren Winslow; which was read the first time and passed; on motion the rules

were suspended and the same was read the second and third time, passed and was ordered to be engrossed.

Mr. Roland, a resolution in favor of James M. Carroll; which was read the first time and passed, and referred to the committee on claims.

Mr. Waugh submitted the following resolution:

Resolved, That any three members of the committee on propositions and grievances, may constitute a quorum for the transaction of all business referred to that committee for the remainder of the session; which was rejected.

Mr. G. M. White presented the following resolution:

Resolved, That a committee be raised, consisting of the chairmen of the several standing committees of this House, whose duty it shall be to appoint the times of meeting of said committees.

Which was rejected.

Mr. Sharpe introduced a bill to amend an act passed at the session of the General Assembly of 1846-'47, entitled an act to incorporate the town of Statesville; which was read the first time, passed and referred to the committee on corporations.

Mr. Craven, a bill to regulate the weight of salt sold by the sack; which was read the first time, passed and referred to the committee on propositions and grievances.

Mr. Vance, a bill to establish a public road in the county of Yancey; which was read the first time, passed and referred to the committee on internal improvement.

Mr. McDuffie, a bill to incorporate the Dobbin House Company in the town of Fayetteville; which was read the first time, passed and referred to the committee on corporations.

Mr. Vance submitted a resolution authorizing the public printer to print two hundred additional copies of the report of the survey of the North Carolina Western Railroad route; which was read the first time and passed.

Mr. Myers submitted the following resolution:

Resolved, That the hours of session of this House shall be, until otherwise ordered, from 10 o'clock A. M., to half past one P. M., and from three P. M., to 9 o'clock P. M.; the same was read, and Mr. S. A. Williams moved to lay it upon the table, which was determined in the affirmative; yeas 65, nays 18.

Yeas and nays demanded by Mr. Myers.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Barringer, Baxter, Black, Blow, Bogle, Bryson, Bullock, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Cotten, Craven, Dargan, Daughtry, Flynt, Furr, Gentry, G. Green, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Humphrey, Jenkins, Johnson, Jones, Lancaster, H. Leach, Long, McDuffie, McKesson, March, Martin, Mebane, Mordecai, S. J. Neal, Patterson, Patton, Phillips, Rand, Roland, Rose, Russell, Selby, Sharpe, Shepherd, Shipp, Simmons, Steele, Stubbs, Thornburg, Turner, Vance, Walser, Whitaker, N. B. Whitfield, Wilkins, B. F. Williams, S. A. Williams and Wright —65.

Those who voted in the negative, were,

Messrs. J. Barnes, Dortch, Dunn, Garland, M. Green, Horton, Jarvis, Lyon, Myers, Settle, Sherrill, Smallwood, Waugh, G. M. White, L. Whitfield, Whitlock, C. W. Williams and Yancey—18.

On motion by Mr. Bogle,

Ordered, That a message be sent to the Senate, proposing to set apart Saturday evening next at 3 o'clock, for the purpose of appointing justices of the peace.

Received from the Senate a message concurring in the amendment of the House, to the resolution authorizing the payment of the subscription of the State to the North Carolina Railroad Company.

Also a message informing that the Senate branch of the committee on enrolled bills are, Messrs. Gilmer, Herring and Tayloe.

On motion by Mr. Selby, the bill in favor of Wm. N. Brooks of Hyde county, was raken from the table and read the second time and passed.

Mr. Martin called up the bill to provide for the better government of the town of Louisburg, in the county of Franklin; it passed its second reading, and the amendment reported by the committee to strike out the 22d section was adopted, and the bill as amended was read the third time, passed, and ordered to be engrossed.

Received from the Senate a message concurring in the proposition of the House to raise a joint committee on public buildings, and informing that Messrs. Wilder, Sanders and Morrisey form the Senate branch of the committee; and the Chair appointed

Messrs. Whitlock, Mebane, Lyon, Cook and Hill on the part of the House.

Also a message agreeing to the resolution of the House, directing the Speakers of the two Houses to decline the invitation of the citizens of Salisbury, &c.

Also a message concurring in the proposition to set apart Saturday evening next at 3 o'clock for the appointment of justices of the peace.

The hour having now arrived to proceed to the consideration of the special order of the day, being the bill to charter the Peoples' Bank of the State of North Carolina,

On motion, the same was postponed, and made the special order for Tuesday next at 12 o'clock.

An engrossed bill concerning appeals and proceedings in the nature of appeals, and the engrossed bill concerning apprentices, were severally read the third time, passed, and ordered to be enrolled.

The engrossed bill concerning asylums was read the third time, and Mr. Steele moved to amend the same in section 26, by striking out the word "court" in the 4th line, and insert "State" out of the public treasury; also, strike out the remainder of the section.

Which amendment was rejected; yeas 34, nays 49.

Yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Badham, Baxter, Bogle, Bryson, Carmichael, Cook, Dargan, Flynt, Furr, M. Green, J. F. Hill, Humphrey, Johnson, Jones, H. Leach, Long, Love, McDuffie, March, Mebane, S. J. Neal, Patterson, Patton, Selby, Settle, Sharpe, Shepherd, Steele, Vance, Waugh, G. M. White, Whitlock, Wilkins and C. W. Williams—34.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Barringer, Blow, Bullock, D. F. Caldwell, Chadwick, Cotten, Craven, Daughtry, Dortch, Dunn, Garland, Gentry, G. Green, A. D. Headen, J. H. Headen, Holland, Horton, Houston, Jarvis, Jenkins, Lancaster, Lyon, McKesson, Martin, Mordecai, Myers, Phillips, Rand, Roland, Rose, Russell, Sherrill, Shipp, Simmons, Smallwood, Stubbs, Thornburg, Turner, Walser, Whitaker, J. H. White, L. Whitfield, N.

B. Whitfield, B. F. Williams, S. A. Williams, Wright and Yancey-49.

Mr. Dargan then moved to amend by striking out all that relates to the lunatic asylum, which was rejected; yeas 2, nays 77.

Yeas and nays demanded by Mr. Dargan.

Those who voted in the affirmative, were,

Messrs. Dargan and Steele-2.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, Barringer, Baxter, Blow, Bogle, Bryson, Bullock, D. F. Caldwell, Carmichael, Chadwick, Cook, Cotten, Craven, Daughtry, Dortch, Dunn, Furr, Garland, Gentry, G. Green, M. Green, A. D. Headen, J. H. Headen, J. F. Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Lancaster, Hugh Leach, Long, Love, Lyon, McDuffie, McKesson, March, Martin, Mebane, Mordecai, S. J. Neal, Patterson, Phillips, Rand, Roland, Rose, Russell, Selby, Settle, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Stubbs, Thornburg, Turner, Vance, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, Saml. A. Williams, Wright and Yancey—77.

The hour having now arrived, under the rule, the House took a recess.

Three o'clock, P. M.

The House resumed the consideration of the bill concerning asylums, and the same passed its third reading and was ordered to be enrolled.

Mr. Blow introduced a bill to provide for draining swamp land in the county of Pitt, which was read the first time, passed, and referred to the committee on internal improvement.

On motion by Mr. Myers,

Ordered, That the communication from Warren Winslow, acting Governor, in reply to a resolution of this House on the subject of the public buildings, be transmitted to the Senate.

Received from the Senate a message transmitting the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning electors of President and Vice President;

A bill concerning draining and damming low lands;

A bill concerning estates;

A bill concerning criminal proceedings;

A bill concerning crimes and punishments;

A bill to authorize the Raleigh and Gaston Railroad Company to take stock in the Roanoke Valley Railroad Company:

A bill to extend the time for registration of grants, &c.;

A bill to authorize W. S. Ballinger and others to construct a dam across Neuse River in Johnston county;

A bill to incorporate the town of Roxborough, in Person county;

A bill to amend the 7th section, chapter 17, Revised Statutes, entitled cattle, horses and hogs;

A bill to amend an act entitled an act to incorporate the trustees of Davidson College, passed in 1838-'9;

A resolution to procure documentary evidence of the history of North Carolina.

Mr. Myers, from the committee on banking, to whom was referred the bill to re-charter the Bank of the State of North Carolina, reported the same back to the House, with sundry amendments, and recommended its passage.

The following engrossed bills were severally read the third time, passed, and ordered to be enrolled:

A bill concerning attorneys general and solictors;

A bill concerning attorneys at law;

A bill concerning attachment;

A bill concerning auctions and auctioneers;

A bill concerning bail;

A bill concerning bastard children;

A bill concerning bills, bonds and promissory notes;

A bill concerning boats and canoes;

A bill concerning book debts;

A bill concerning burning woods and hunting;

A bill concerning charities;

A bill concerning clerks of the county and superior courts;

A bill concerning clerks and masters in equity;

A bill concerning commissioners of affidavits and probate of deeds;

A bill concerning common law;

A bill concerning comptroller;

A bill concerning constables;

A bill concerning coroners;

A bill concerning corporations;

A bill concerning county boundaries;

A bill concerning county revenue and charges;

A bill concerning county trustee;

A bill concerning court-houses, prisons, &c.;

A bill concerning courts of equity;

A bill concerning the supreme court;

A bill concerning currency;

A bill concerning descents.

The following engrossed bills were severally read the first time and passed; the rule was suspended, and the same were read the second and third time, passed, and were ordered to be enrolled, viz:

A bill concerning electors of president and vice president;

A bill concerning estates;

A bill concerning draining and damming low land;

A bill concerning crimes and punishments.

On motion by G. M. White, the House adjourned to to-morrow morning 10 o'clock,

WEDNESDAY, January 3, 1855.

Mr. Phillips and Mr. Mebane presented a temperance memorial from the citizens of the counties of Orange and Alamance, and the same were referred to the committee on propositions and grievances.

Mr. Whitlock asked to be excused from the committee on public buildings, being on two standing committees; he was excused and Mr. Rand substituted.

Mr. Jones presented the resignation of D. D. Campbell, a justice of the peace in the county of Columbus, which was received and transmitted to the Senate.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred a resolution instructing them to enquire into the expediency of erecting a new county out of Haywood and Buncombe, to be called "Mount Pisga," reported the

same back to the House, and asked to be discharged from its further consideration; which report was concurred in.

Mr. Waugh, from the same committee, to whom was referred a bill concerning fishing in Tar and Pamlico rivers, reported the same back to the House, and recommended its passage.

Mr. Baxter, from the committee on the judiciary, to whom was referred a bill and memorial for the relief of ship carpenters and other mechanics;

Also, a bill to secure to architects and mechanics compensation for labour and materials, in the county of New Hanover, reported the same back to the House, and recommended that they do not pass.

Mr. Dortch, from the same committee, to whom was referred the bill to authorize the formation of limited partnerships, reported the same back to the House, and recommended its passage.

Also, a bill to provide for the protection of the creditors of resident debtors, reported the same back to the House, and recommended that it be referred to the committee on the revisal of the Statutes; which report was concurred in, and the reference made.

Mr. Dortch, from the same committee, to whom was referred a resolution in relation to altering the rules of descent, so as to prevent a person guilty of murder from inheriting any portion of the property of the person murdered; reported the same back to the House, stating that legislation is unnecessary, and assigning reasons therefor, which report was concurred in.

Mr. Lancaster, from the committee on private bills, to whom was referred a bill to regulate the fees of registers in the county of Cumberland, reported the same back to the House, and recommended that it do not pass.

Mr. George Green, from the committee on banking, to whom was referred the bill to incorporate Union bank, reported the same back to the House, and recommended its passage.

Mr. Phillips, from the committee on the revisal of the Statutes, to whom was referred a bill to limit entries of the public lands, reported the same back to the House, and recommended that the same lie upon the table.

On motion by Mr. S. A. Williams, Ordered, That the report of the board of trustees for the institution for the education of the deaf and dumb and blind, be transmitted to the Senate with a proposttion to print.

Mr. S. A. Williams submitted the following resolution, which was read and adopted:

Resolved, That the joint select committee on the institution for the deaf and dumb and blind, have authority to send for persons and papers to aid them in their investigations.

Mr. Craven introduced a bill to extend the limits of Ashboro'; which was read the first time, passed and referred to the committee on private bills.

Mr. Myers, a bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company; which was read the first time, passed and referred to the committee on corporations.

Mr. Patterson introduced a bill accompanied by a memorial, to incorporate the town of Lenoir in Caldwell county; the same was read the first time and passed.

Mr. Walser, a bill to incorporate the Yadkin Institute, in the county of Davidson, which was read the first time and passed; on motion the rules were suspended, and the bill read the second time.

Mr. Dortch moved that the bill be indefinitely postponed; upon which

Mr. Walser demanded the yeas and nays; they were accordingly taken and determined in the negative; yeas 19, nays 62.

Those who voted in the affirmative, were,

Messrs. Amis, Blow, Cofield, Daughtry, Dortch, Dunn, J. F. Hill, Humphrey, Jenkins, March, Phillips, Selby, Shaw, Shepherd, Sherrill, Whitaker, L. Whitfield, N. B. Whitfield and S. A. Williams—19.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Bogle, Bryson, Bullock, J. G. Bynum, D. F. Caldwell, Chadwick, Cook, Cotten, Craven, Flynt, Furr, Garland, Gentry, George Green, M. Green, A. D. Headen, J. H. Headen, Holland, Horton, Jarvis, Johnson, Jones, Jordan, Lancaster, Hugh Leach, Long, Love, Lyon, McKesson, Mann, Martin, Mebane, Mordecai, Myers, S. J. Neal, Patterson, Patton, Rand, Roland, Russell, Settle, Shipp, Simmons, Smallwood, Steele, Stubbs, Thornburg, Tomlinson, Vance, Walser, Waugh, George M. White, J. H. White,

Whitlock, Wilkins, B. F. Williams, C. W. Williams, Wright and Yancey—62.

The bill then passed its second reading.

Mr. Horton introduced a bill to alter the county line of Watauga county; the same was read the first time, passed and referred to the committee on propositions and grievances.

Mr. George Green, a bill for the better administration of justice in the courts of pleas and quarter sessions of this State; the same was read the first time, passed, referred to the committee on the judiciary and ordered to be printed.

· Mr. Thornburg, a bill for the better regulation of common schools; the same was read the first time, passed and referred to the committee on education.

Received from the Senate a message concurring in the propoposition to print the report of the board of directors of the deaf and dumb asylum.

Also a message informing that they have passed the engrossed bill declaring what number of justices of the peace of the counties of Randolph, Alamance and Cumberland shall constitute a quorum in certain cases, with amendments, in which they ask the concurrence of the House.

The House concurred in the amendment, and informed the Senate thereof by message.

Also a message informing that they have passed the engrossed bill to amend an act of the session of 1852, entitled an act concerning the place of trial for civil process before justices of the peace; and

An engrossed resolution in favor of Jasper Tinnin, and ordered the same to be enrolled.

Also a message transmitting the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning Governor and council;

A bill concerning habeas corpus;

A bill concerning gaming contracts;

A bill concerning forcible entry and detainer;

A bill concerning fences;

A bill concerning evidence;

A bill concerning divorce and alimony;

A bill concerning executions;

A bill concerning deeds and conveyances;

A bill concerning executors and administrators; and

A bill concerning fairs.

A bill in favor of Wm. N. Brooks, of Hyde county, was read the third time, passed, and ordered to be engrossed.

An engrossed bill to amend an act, entitled an act to incorporate the trustees of Davidson College, passed at the session of 1838-'9, was read the first time and passed; the rule being suspended, the same was read the second time, and referred to the committee on corporations.

An engrossed bill from the Senate concerning criminal proceedings, was read the first time and passed; the rule being suspended, the same was read the second time, and

On motion by Mr. Phillips, laid upon the table.

The hour having now arrived to proceed to the consideration of the special order of the day, being the bill to incorporate the Broad River Railroad Company; the same was taken up, and on motion, the further consideration was postponed, and the bill laid on the table.

The following engrossed bills from the Senate were read the first time and passed; and the rule being suspended, the same were read the second and third time, passed, and ordered to be enrolled:

A bill to incorporate the town of Roxboro', in Person county;
A bill to extend the time for registration of grants, deeds and
other conveyances;

A bill concerning divorce and alimony;

A bill concerning Governor and council;

A bill concerning fences;

A bill concerning forcible entry and detainer; and

A bill concerning executions.

A bill concerning cattle, horses and hogs, was read the third time, passed, and ordered to be enrolled.

A bill authorizing the librarian to purchase a national flag for the use of the capitol, was read the second time, amended and passed; the rule being suspended, the same was read the third time, passed, and ordered to be engrossed.

Mr. Waugh moved to reconsider the vote by which the bill con-

cerning cattle, horses and hogs was passed, which was disagreed to.

The hour having now arrived, under the rule, the House took a recess until three o'clock, P. M.

Three o'clock, P. M.

An engrossed bill concerning evidence was read the first time and passed; the rule being suspended, the same was read the second time, and Mr. Baxter submitted an amendment, and on his motion, the bill and amendment were referred to the committee on the Revisal of the Statutes.

Mr. McKesson introduced a bill to tax the sale of foreign liquors and wines in the State of North Carolina; the same was read the first time, passed, and referred to the committee on finance.

Mr. Thornburg, a bill for the better regulation of the inspectors of flour in the town of Fayetteville; the same was read the first time, passed, and referred to the committee on propositions and grievances.

The following engrossed bills and resolutions were severally read the first time and passed; the rule being suspended, the same were read the second and third time, passed, and ordered to be enrolled.

A bill concerning habeas corpus;

A bill concerning gaming contracts;

· A bill concerning fairs;

A bill concerning executors and administrators; and

A resolution to procure documentary evidence of the history of North Carolina.

A bill concerning agriculture and geology was read the third time, and

On motion by Mr. Jenkins, the same was laid upon the table.

The following bills were severally read the second time and passed, and the rule being suspendeded, the same were read the third time, passed and ordered to be engrossed.

A bill to incorporate the East Fork Turnpike Company;

A bill to incorporate the Little River Turnpike Company;

A bill appointing commissioners in Watauga and Yancey counties, to lay off a public road from the Tennessee line to the county line of McDowell county; and

A bill to incorporate the Alamance and Caswell Plankroad Company.

A bill to incorporate the Central Gold and Copper Mining Company, was read the second time, and on motion by Mr. Steele, the same was laid upon the table.

Mr. Shepherd submitted the following resolution, and the same was read and adopted:

Resolved, That the committee on the revision of the Statutes, be directed to enquire into the expediency of providing by a rule of court, that all issues of devisavit vel non, shall be heard and tried, first in the order of suits pending in the county or superior courts of this State, and that said committee report by bill or otherwise.

On motion by Mr. Patterson, the rules were suspended, and the bill to incorporate the town of Lenoir, in Caldwell county, was taken up and read the second time, when

Mr. Jenkins moved to amend the same by striking out lawyers, and

Mr. Patterson, by striking out lawyers and dentists and physicians; the question being taken upon the amendment offered by Mr. Patterson, the same was rejected.

Mr. Roland moved to amend the bill by reducing the tax on grocers, from two dollars to one dollar, which was rejected; the question then recurring upon the amendment offered by Mr. Jenkins, the same was rejected; the bill then passed its second reading, the rules being suspended, the same was read the third time, when

Mr. Jenkins moved to amend by taxing all resident batchelor's over twenty-five years of age, the sum of one dollar; which amendment was adopted.

On motion by Mr. D. F. Caldwell, the vote by which the said amendment was adopted, was reconsidered, and the amendment was then rejected.

Mr. Shepherd then moved to amend the bill by striking out all resident lawyers, dentists and physicians; which amendment was rejected, and the bill then passed its third reading, and was ordered to be engrossed.

On motion by Mr. Bogle, the House adjourned to to-morrow morning 10 o'clock.

THURSDAY, JANUARY 4, 1855.

Mr. Long presented the resignation of Hardy Badget as a justice of the peace of the county of Caswell, and Wm. K. Martin as a justice of the peace of the county of Franklin; which were read and received, and transmitted to the Senate.

Mr. Baxter and Mr. Norment presented temperance memorials from citizens of the counties of Henderson and Robeson; the same were referred to the committee on propositions and grievances.

Mr. Yancey presented a memorial from citizens of the county of Madison, praying to re-attach to the county of Buncombe a portion of Madison county; the same was referred to the committee on propositions and grievances.

Mr. Stubbs, a memorial in relation to the county courts of Beaufort county, which was referred to the committee on the judiciary.

Mr. Steele, from the committee on corporations, to whom was referred a bill to incorporate the Asheville Mutual Insurance Company, reported the same back to the House, with an amendment, and recommended its passage.

Mr. Steele, from the same committee, to whom was referred the following bills, viz:

A bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company;

A bill to amend an act, entitled an act to incorporate the trustees of Davidson College, passed at the session of 1838-'9;

A bill to incorporate the Valley River and Cheraw Turnpike Company, in the county of Cherokee;

A bill to incorporate the Fair Bluff and Conwayborough Plankroad Company;

A bill to incorporate the Iron Hill and Whitesville Plankroad Company;

A bill to incorporate the Dobbin House Company in the town of Fayetteville;

A bill to incorporate the Grand Royal Arch Chapter of North Carolina of Free and Accepted Masons;

A bill to incorporate a female institute in the town of Rockford;

A bill to incorporate the United Baptist Institution in the town of Taylorsville; and

A bill to incorporate the town of Franklin, reported the same back to the House, and recommended their passage.

Mr. Lancaster, from the committee on private bills, to whom was referred the engrossed bill to emancipate John Good, a slave, and

A bill concerning hogs running at large in the streets of Elizabeth City, in the county of Pasquotank, reported the same back to the House, and recommended their passage.

Mr. Lancaster, from the same committee, to whom was referred a bill to amend the 7th section of an act entitled an act to establish a bank in the town of Washington, in the county of Beaufort, reported the same back to the House and recommended its passage, and on motion the rules were suspended, and the bill read the second and third time, passed and ordered to be engrossed.

Mr. Lancaster, from the same committee, to whom was referred a bill to alter the time of holding the superior courts in the committee of Sampson and Cumberland, reported the same back to the House, recommending the same to be referred to the committee on the judiciary.

On motion, the bill and report were laid on the table.

Mr. A. H. Caldwell, from the committee on corporations, to whom was referred a bill to incorporate the Trent River Navigation Company; also

A bill to amend an act passed at the session of 1846-'7, entitled an act to incorporate the town of Statesville, reported the same back to the House and recommended their passage.

Mr. A. H. Caldwell, from the same committee, to whom was referred a bill to incorporate the Guilford Gold and Copper Mining Company, reported the same back to the House with an amendment and recommended its passage.

Mr. Phillips, from the committee on the Revised Statutes, to whom was referred the bill to protect the creditors of non-resident debtors, reported the same back to the House, stating that further legislation upon the subject is unnecessary, and assigning reasons therefor, and recommended that said bill lie on the table.

Mr. D. F. Caldwell, from the committee on propositions and grievances, to whom was referred a bill to lay off and establish a new county by the name of Ruffin, made a verbal report in favor of the bill, which report was received.

Mr. Jenkins submitted the following resolution, which was read and adopted:

Resolved, That the treasurer of the State be requested to furnish the House with a full account of all monies paid by him out of the public treasury to the State geologist and his assistants, from establishing of said office to the present time.

Mr. Long presented a resolution in favor of Abram Walker, guardian, &c.; the same was read the first time, passed and referred to the committee on claims.

Mr. Love introduced a bill to amend the constitution of the State; the same was read the first time and passed, by the constitutional majority of three fifths, and on his motion, the bill was laid upon the table, and ordered to be printed.

Mr. McKesson, a bill to protect wives and children; which was read the first time and passed.

Mr. S. A. Williams moved that the same be printed, which was disagreed to, and the bill was referred to the committee on the judiciary.

Mr. Myers, a bill to incorporate the Charlotte Gas Light Company; the same was read the first time and passed, and referred to the committee on corporations.

Mr. Mann, a bill to enable the wardens of the poor of Pasquotank county, to sell a portion of the poor house lands; which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Garland, a bill to amend an act passed at the session of 1850-'51, entitled an act to incorporate the McDowell and Yancey Turnpike Company; the same was read the first time and passed, and referred to the committee on the judiciary.

Mr. Sutton, a bill to incorporate the Kinston Female College; the same was read the first time and passed, and referred to the committee on corporations.

Mr. Craven, a bill to incorporate the two Academies in the town of Ashboro'; the same was read the first time and passed, and on motion, the rules were suspended, and the bill read the second and third time, passed and ordered to be engrossed.

Mr. George Green, a bill concerning crimes and punishments; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Roland, a bill supplemental to and amendatory of an act passed at the session of 1852-'53, entitled an act, to bring into market the lands pledged for the completion of the Western Turnpike Road; the same was read the first time and passed, and referred to the committee on Cherokee Lands and the Western Turnpike Road.

Mr. Vance moved to take up the resolution directing the public printer to print 200 additional copies of the report of the western survey; the House refused.

The engrossed resolution to cede to the United States of America, certain sites for light house purposes, was taken up, and on motion by Mr. Shepherd, the same was laid upon the table.

The engrossed bill to incorporate the Yadkin Plankroad Company, was read the second time, and

On motion by Mr. Phillips, the bill was amended as follows, by inserting in the title after the word "plank" the words "and Turnpike;" in section 1st, line 8, after the word "plank" the words "and turnpike," and striking out all in that section after the word "made" in line 12; in section 3, line 2, strike out "plank," and after the word "road" insert "of plank, stone, or other material;" strike out sections 5th, 6th, 7th and 8th; in section 9th, in line 5, the word "plank," and all after "road"; also, sections 10th, 11th and 13th, so as to conform this to the general plank and turnpike road law.

The bill as amended then passed its second reading; the rule being suspended, the same was read the third time and passed, and the Senate informed, and their concurrence in the amendment asked.

The engrossed bill to authorize the courts of pleas and quarter sessions of the counties of Craven, Nash, Sampson, Stokes and Forsythe to pay the wardens of the poor, was read the second time and passed; the rule being suspended, the same was read the third time, and

On motion by Mr. Singeltary, the bill was amended by striking out wherever they occur the words "counties of Craven. Nash, Sampson, Stokes and Forsythe," and inserting "several counties of the State."

The bill as amended then passed its third reading, and the Senate informed, and their concurrence in the amendment asked.

The engrossed bill to make compensation to the justices of the peace for taking lists of taxable property, was read the second time.

Mr. Mann moved to amend by making the compensation one instead of two dollars, and Mr. Lyon moved to substitute one dollar and fifty cents.

Mr. Cook moved the bill be indefinitely postponed, upon which Mr. Johnson demanded the yeas and nays, and the question was determined in the negative; yeas 17, nays 79.

Those who voted in the affirmative, were,

Messrs. Blow, J. G. Bynum, Chadwick, Cofield, Cook, Cotten, G. Green, J. H. Headen, Jenkins, McDuffie, March, Mordecai, Rand, Sharpe, Singeltary, Stubbs and Waugh—17.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Black, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Calwell, Cansler, Craven, Dargan, Daughtry, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, A. D. Headen, J. F. Hill, Holland, Horton, Humphrey, Jarvis, Johnson, Jones, Lancaster, H. Leach, Long, Love, Lyon, McKesson, Mann, Martin, Meares, Mebane, Myers, S. J. Neal, Norment, Parks, Patterson, Patton, Phillips, Roland, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Steele, Sutton, Thornburg, Tomlinson, Vance, Walser, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—79.

On motion by Mr. Patterson, the bill was referred to the committee on finance.

The Speaker announced that the hour had now arrived to proceed to the consideration of the special order of the day, being the bill to incorporate the French Broad Railroad Company; the same was taken up and read the second time, and

On motion by Mr. Baxter, amended as follows: In the 3d line of the 7th section insert before the word "French," the words "Greenville and"; strike out of the 4th line of the 26th section the word "wherein," and insert the word "whenever".

The bill as amended, passed its second reading.

The engrossed bill to authorize the Nantahala Tuckasege

Turnpike Company to establish a toll bridge over the Tennessee . river, in Macon county, was read the second time and passed; the rule being suspended, the same was read the third time, passed, and ordered to be enrolled.

The engrossed bill to provide for the issue of additional stock by the Seaboard and Roanoke Railroad Company, was read the second time and passed; the rules being suspended, the same was read the third time and passed, and ordered to be enrolled.

The engrossed resolution concerning the Cape Fear and Deep River Navigation Company, was read the second time, and laid upon the table.

An engrossed bill to authorize William S. Ballinger, his associates and assigns, to construct a dam across Neuse river, was read the first time and passed; the rule being suspended, the same was read the second time, and on motion by Mr. Singeltary, the same was referred to the committee on internal improvements.

The engrossed bill to amend the 4th section, chapter 17, of the revised code, entitled cattle, horses and hogs, was read the first time and passed, when

Mr. Jenkins moved to lay the same upon the table; which was disagreed to.

Mr. Williams, of Warren, then moved to refer the bill to the committee on propositions and grievances; which was disagreed to.

Received from the Senate a message transmitting the resignation of James Rierson, as a justice of Stokes county; the acceptance of which the House concurred in.

Also informing that the Senate has concurred in the amendment of the House, to the bill to authorize the courts of pleas and quarter sessions in this State to pay the wardens of the poor, and the same was ordered to be enrolled.

Also a message transmitting the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning inspection;

A bill concerning infamous persons;

A bill concerning husband and wife; and

A bill concerning guardian and ward.

On motion by Mr. Phillips, the engrossed bill concerning criminal proceedings, was taken from the table, and

Mr. Phillips offered the following amendments, in section 111,

line 112, strike out after the word "dead," the words "or hath removed from the State"; pending the consideration of which, the Speaker announced the hour had arrived under the rule to take a recess; the House accordingly took a recess until three o'clock, P. M.

Three o'clock, P. M.

The House now resumed the consideration of the bill concerning criminal proceedings, and the pending amendment, and the amendment was adopted; yeas 66, nays 25.

The yeas and nays demanded by Mr. Mordecai.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Baxter, Black, Blow, Bryant, Bryson, D. F. Caldwell, Cansler, Chadwick, Cofield, Cook, Craven, Dunn, Flynt, Furr, Garland, M. Green, A. D. Headen, J. H. Headen, J. F. Hill, Holland, Jenkins, Lancaster, Hugh Leach, J. M. Leach, Long, Love, McDuffie, McKesson, Mann, March, Martin, Meares, Mordecai, Myers, S. J. Neal, Norment, Parks, Patterson, Phillips, Rand, Roland, Rose, Russell, Selby, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Stubbs, Thornburg, Toudinson, Walser, Waugh, Whitaker, G. M. White, J. H. White, Wilkins, B. F. Williams, D. Williams, S. A. Williams and Wright—66.

Those who voted in the negative, were,

Messrs. A. Barnes, Barringer. Bogle, Bullock, Daughtry, Gentry, Gorrell, G. Green, Horton, Humphrey, Jarvis, Johnson, Jones, Lyon, Mebane, Patton, Steele, Sutton, Vance, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, Thomas H. Williams and Yancey—25.

The bill as amended passed its second reading; the same was read the third time, and

Mr. Shepherd moved to amend by striking out 23 and inserting 35, before the word "jurors," which was rejected, and the bill passed its third reading and the Senate was informed of the amendment and their concurrence asked.

The engrossed resolution to furnish the clerk of the Senate's office was read the third time, passed, and ordered to be enrolled.

The engrossed bill concerning guardian and ward was read the

first time and passed; the rule being suspended, the same was read the second time, and

Mr. Mann moved to amend the bill by striking out the word "three" and inserting "two," before the word "years," which was rejected; the bill then passed its second reading; the same was read the third time, passed and ordered to be enrolled.

Mr. Cook presented the following resolution, which was read and rejected:

Resolved, That the committee on finance be requested to inquire into the propriety of increasing the tax on stud horses and jack asses, and to report by bill or otherwise.

On motion by Mr. Singeltary,

Ordered, That the restriction on the business of the House during evening sessions be rescinded.

'The engrossed bill concerning husband and wife;

The engrossed bill concerning inspection; and

The engrossed bill concerning infamous persons, were severally read the first time and passed; the rule being suspended, the same were read the second and third time, passed and ordered to be enrolled.

On motion by Mr. George Green,

Ordered, That the bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company and the North Carolina Western Railroad Company, be made the special order for Saturday next, at 11 o'clock.

On motion by Mr. George Green, the House adjourned to tomorrow morning, 10 o'clock.

FRIDAY, JANUARY 5, 1855.

Mr. Walser presented a memorial from citizens of the county of Davidson, on the subject of internal improvement; which was read and referred to the committee on internal improvements.

Mr. Roland, a memorial from citizens of the county of Cherokee, relating to the extension of the Western Turnpike road; the same was referred to the committee on Cherokee lands and the Western Turnpike road.

Mr. Shipp, a memorial from citizens of Henderson county concerning Polk county, and

Mr. Sharpe, a memorial praying for the establishment of a new

county by the name of Graham; which were severally referred to the committee on propositoins and grievances.

Mr. Settle, from the committee on claims, to whom was referred a resolution in favor of Thos. N. Alexander, reported the same back to the House with an amendment, which was adopted; the resolution as amended was read the second time and passed.

Mr. Settle, from the same committee, to whom was referred a resolution in favor of Jno. B. Debnam, reported the same back to the House with an amendment, and recommended its passage.

Mr. Lyon, from the committee on corporations, to whom was referred a bill for the better regulation of the town of Henderson in the county of Granville, reported the same back to the House with an amendment, and recommended its passage.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill authorizing administrators and guardians to sell real and personal estate for distribution amongst legatees and minor heirs, reported the same back to the House, and recommended that it do not pass, and

On motion by Mr. Cook, the bill was laid upon the table.

Mr. Norment submitted a resolution authorising the literary board to loan the trustees of Robeson Institute, the sum of one thousand dollars; the same was read the first time and passed, and referred to the committee on education.

Mr. Shipp presented the following resolution, which was read and adopted:

Resolved, That the committee on banks be requested to inform this House whether, in their opinion, any increase of the banking capital of the State is demanded by the wants of the people, and whether any new banks should be established at this session of the legislature; if so, what number, and where located, and what amount of capital.

Mr. Roland, a resolution in favor of Neal M. Colvard; the same was read the first time, passed and referred to the committee on claims.

Mr. Rose presented the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to inquire into the propriety and expediency of passing a bill pro-

viding for paying justices of the peace a reasonable compensation for the several duties which they are now required to perform.

Mr. A. H. Caldwell introduced a bill authorizing the commissioners of the town of Salisbury to subscribe for stock in the Western Railroad Company, and in the Salisbury and Mocksville Plankroad Company; and

A bill to amend the charter of the town of Salisbury, which were severally read the first time, passed and referred to the committee on corporations.

Mr. Norment, a bill to incorporate Spring Hill Academy, in the county of Robeson; the same was read the first time, passed and referred to the committee on corporations.

Mr. Humphrey, a bill to increase the pay of witnesses in the county of Onslow, which was read the first time, passed and referred to the committee on private bills.

Mr. Selby, a bill to vest in the president and directors of the literary fund the title to certain lands covered by the navigable waters in this State, in trust as a public fund for education and for the benefit of common schools; the same was read the first time, passed and referred to the committee on education.

Mr. Shepherd, a bill concerning the public roads in this State, which was read the first time, passed and referred to the committee on propositions and grievances.

Mr. J. H. White presented a resolution in favor of Jonas Cline, sheriff of Catawba county; the same was read the first time and passed, and on his motion, laid upon the table.

On motion by Mr. Patterson, the bill to extend the time for perfecting titles to lands heretofore entered was taken up, passed its third reading and was ordered to be engrossed.

The Speaker announced that the hour had now arrived to proceed to the consideration of the special order of the day, being the bill to incorporate the Wilmington and Charlotte Railroad Company; the same was taken up accordingly, and

On motion by Mr. Steele the bill was amended as follows:

Amend section 2 by surking out "or other point" and inserting "some point on the Wilmington and Raleigh Railroad in the county of New Hanover."

Amend section 5 by striking out the words "the said sum of

eight hundred thousand dollars," and inserting the words, "the sum of five hundred thousand."

Amend section 6 by striking out "eight hundred thousand" and inserting "five hundred thousand dollars."

Amend section 8 by striking out the words "seven hundred and fifty" in the 2d line, and inserting "five hundred."

Amend section 44 by striking out the word "to" in the 3d line, and inserting the word "upon."

Sec. 36. Be it further enacted, That the said road shall be divided into sections of twenty-five miles each, and shall be commenced at its eastern terminus, and built regularly on, section by section, to its western terminus at Charlotte; and whenever the first section shall be completed and in operation, the president and directors of said company may make their bonds payable to the public treasurer of the State of North Carolina, for the sum of two hundred thousand dollars and no more, which said bonds are to be signed by the president and under the seal of the corporation, and made for any sum not under five hundred dollars each, and to bear interest at the rate of six per cent, per annum, which interest is to be paid semi-annually, to wit: On the first Monday in January and July in each and every year, and the principal of said bonds and all other bonds by this act authorized to be made, to be made payable on the first day of January, eighteen hundred and eighty, at such place as the president and directors of said company may agree upon; and that when the second section of said road shall be completed and in operation, the president and directors of said company may make other bonds of like character, to the amount of two hundred thousand dollars, to be endorsed by the public treasurer in like manner as the first bonds authorized to be made and endorsed as aforesaid; and so on, in like amounts and under the same provisions, as often as each section shall be completed: Provided, That when the section before the last shall be completed, the president and directors of said company may make their bonds payable to the public treasurer, to be endorsed by him as is herein provided, for the sum of four hundred thousand dollars, unless the last section shall be less than twentyfive miles, and then a deduction shall be made in the amount of the said last mentioned bonds, in the proportion of two hundred thousand dollars to twenty-five miles of road.

SEC. 37. Beit further enacted, That the public treasurer shall not endorse any of the bonds as provided for in the 36th section of this act, until after the completion of each section of the road, it shall be made to appear to him by a certificate under the seal of the company, signed by the president and counter-signed by the treasurer of said company, that the same has been completed and is in operation, which said certificate shall be filed with the public treasurer; but whenever, upon the completion of any section of said road, such certificates shall be filed, then it shall be the duty of the public treasurer to endorse the bonds of said company as provided in the 36th section of this act as follows, to wit: "Pay to order," and this endorsement pledges the State of North Carolina as security for the payment of the sum named in the bond, according to the provisions of this act; which endorsement is to be signed by the public treasurer in his official capacity and countersigned by the comptroller. The public treasurer after endorsing the bonds as before mentioned, shall duly number and register them at large in a book prepared and kept for that purpose.

Insert the following in lieu of section 42.

SEC. 41. Be it further enacted, That whenever after the first section of the said road shall be completed and in operation, and the same shall be duly certified to the public treasurer as is herein required, the president and directors of said company shall make; execute, and deliver to the Governor of the State a deed of mortgage under the seal of said company, wherein and whereby shall be conveved to the said Governor and his successors in office, for the use and benefit of the State, all the estate both real and personal belonging to said company, or in any manner pertaining to the same, conditioned for indemnifying and saving harmless the State of North Carolina from the payment of the whole or any part of the bonds of two hundred thousand dollars, authorized to be first endorsed by the public treasurer, and also from the payment of the whole or any part of the other bonds authorized by this act to be made by the company and endorsed by the public treasurer; also make, execute, and deliver under the seal of said company to the Governor for the use and benefit of the State, a pledge of so much of the profits of said company as shall be sufficient to pay semi-annually the interest which may accrue on said bonds, until the final payment and redemption of the principal of said bonds; which said deed of mortgage and pledge shall be approved by the attorney general of the State; then it shall be the duty of the public treasurer, and he is hereby required to deliver to the president and directors of said railroad company, the whole of the said bonds of two hundred thousand dollars; and again, when the second section of said road shall be completed and in operation, and the same shall be certified as is herein provided, to deliver to the president and directors of said road the other bonds, to the amount of two hundred thousand dollars provided for in this act, and so on from time to time, as often as each section of said road shall be completed, and the same shall be certified to the public treasurer, until the final completion of said road, agreeably to the 36th and 37th sections of this act.

Add the following as section 45:

SEC. 45. Be it further enacted, That the President and Directors of said company, shall not dispose of any of the bonds by this act authorized to be made by the company and endorsed by the public treasurer for a less sum than their par value.

The said amendments having been adopted,

Mr. Shipp offered the following: strike out "Charlotte" and insert "Asheville, North Carolina," to which amendment,

Mr. McKessson offered the following: strike out "Charlotte" and insert "Asheville by the Swannanoa Gap"; the latter amendment was rejected, and the question recurring upon the amendment offered by Mr. Shipp, it was rejected; yeas 21, nays 78.

The yeas and nays demanded by Mr. A. H. Caldwell.

Those who voted in the affirmative, were,

Messrs. Baxter, Bryson, Cansler, Chadwick, Flynt, Hill, Holland, Jordan, McDuffie, McKesson, Meares, Myers, J. W. Neal, Patton, Roland, Shipp, Vance, J. H. White, T. H. Williams, Wright and Yancey—21.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Black, Blow, Bogle, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Cofield, Cook, Cotten, Craven, Daniel, Daughtry, Davenport, Dortch, Dunn, Furr, Genty, Gilliam, Gorrell, M. Green, A. D. Headen, J. H. Headen, Horton, Humphrey, Jarvis, Jenkins, Johnson, Jones, Lancaster, H. Leach, J. M. Leach, Long, Lyon, Mann, March, Martin, Mebane, S. J. Neal, Nor-

ment, Oglesby, Outlaw, Patterson, Phillips, Rand, Regan, Rose, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Simmons, Smallwood, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Walser, Waugh, Whitaker, G. M. White, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams and Winston—78.

Mr. Mebane offered the following amendment:

Provided, That the endorsement of the the company's bonds under this act by the State, shall in no event exceed the sum of sixteen hundred thousand dollars.

Which was adopted.

Mr. Martin moved to amend the bill by striking out all that part authorizing the public treasurer to endorse the bonds of the company, which was rejected; yeas 45, nays 55.

Yeas and nays demanded by Mr. Martin.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Cotten, Craven, Daughtry, Dortch, Flynt, Furr, M. Green, J. F. Hill, Holland, Jarvis, Jenkins, Lancaster, J. M. Leach, Long, Lyon, March, Martin, J. W. Neal, Outlaw, Rand, Rose, Selby, Settle, Shaw, Smallwood, Thornburg, Tomfinson, Walser, Wangh, Whitaker, J. H. White, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—45.

Those who voted in the negative, were,

Messrs. Amis, Baxter, Black, Bogle, Bryson, A. H. Caldwell, D. F. Caldwell, Cansier, Chadwick, Cook, Daniel, Dunn, Garland, Gentry, Gilliam, Gorrell, G. Green, A. D. Headen, J. H. Headen, Horton, Humphrey, Johnson, Jones, Jordan, H. Leach, McDuffie, McKesson, Mann, Meares, Mebane, Myers, S. J. Neal, Norment, Oglesby, Parks, Patterson, Patton, Phillips, Regan, Roland, Russell, Sharpe, Shepherd, Shipp, Simmons, Steele, Stubbs, Sutton, Turner, Vance, George M. White, N. B. Whitfield, Wilkins, B. F. Williams and T. H. Williams—55.

The bill as amended then passed its second reading; yeas 59, mays 39.

Yeas and nays demanded by Mr S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Baxter, Black, Bogle, Bryson, A. H. Caldwell,

D. F. Caldwell, Cansler, Chadwick, Cook, Davenport, Dunn, Furr, Garland, Gentry, Gilham, Gorrell, George Green, A. D. D. Headen, J. H. Headen, Horton, Humphrey, Johnson, Jones, Jordan, Lancaster, H. Leach, McKesson, Mann, Meares, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Patterson, Patton, Phillips, Regan, Roland, Rose, Russell, Sharpe, Shepherd, Shipp, Simmons, Steele, Stubbs, Sutton, Turner, Vance, G. M. White, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, Thos. H. Williams and Yancey—59.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Cotten, Craven, Daniel, Daughtry, Dortch, Flynt, M. Green, Joel F. Hill, Holland, Jarvis, Jenkins, J. M. Leach, Long, Lyon, March, Martin, Outlaw, Rand, Selby, Settle, Shaw, Smallwood, Thornburg, Tomlinson, Walser, Waugh, Whitaker, C. W. Williams, D. Williams, Samuel A. Williams, Winston and Wright—39.

The hour having now arrived under the rules, the House took a recess until three o'clock, P.M.

Three o'clock, P. M.

The House now proceeded to the consideration of bills upon their third reading, and

A bill to incorporate the Cape Fear and Waccamaw Canal and Lumber Company in Brunswick county;

A bill to amend an act entitled an act, to prevent the obstruction of the passage of fish in the waters of Blount's Creek, and its tributary streams;

A bill to incorporate the Yadkin Institute, in the county of Davidson; and

A bill to amend the statute concerning widows, were severally read the third time and passed, and ordered to be engrossed.

A bill to incorporate the Chatham Railroad Company, was read the third time, and on motion by Mr. J. H. Headen, amended as follows:

In 4th line of section 1, strike out the words "the coal fields on," and after Deep River in the 5th line, insert the following: "at or near the coal fields."

In section 2, 3d line, strike out the words "the coal fields on,"

and after Deep River, and insert the following: "at or near the coal fields."

In section 3, 8th line, after the word "stock" insert the words "either by individuals or corporations."

In section 4th, 15th line, after the words "effects" insert the words, "if the commissioners choose so to declare it, or they may direct it to be recovered by suit or otherwise."

Mr. Outlaw moved to amend by limiting the charter to ninety years.

Which was adopted.

Mr. Outlaw then moved to strike out in section 36, 4th line the words "by the State of North Carolina," and insert the following:

Be it further enacted, That the property and stocks and dividends of said company, shall be exempt from taxation by any corporate or municipal police, town, city or county.

This amendment was rejected.

Mr. Barringer moved to strike out the words in section 36, "dividends and profits"; which was adopted, and the bill as amended passed its third reading, and was ordered to be engrossed.

On motion by Mr. Jenkins, the House adjourned to to-morrow morning, 10 o'clock.

SATURDAY, JANUARY 6, 1855.

Mr. Yancey presented a memorial from citizens of Madison county, for the re-establishment of Marshall, and

Mr. J. H. Headen, a memorial from citizens of the county of Chatham, on the subject of temperance; which were severally referred to the committee on propositions and grievances.

Mr. Oglesby presented a memorial from citizens of Carteret county, praying for a mechanics lien law.

The same was referred to the committee on the judiciary.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill to prescribe the place to which notice to an endorsor on the dishonor of bills of exchange may be directed and sent in certain cases; also,

A resolution in favor of J. W. Erwin, administrator, &c., reported them back to the House, and recommended their passage.

Mr. Dortch, from the same committee, to whom was referred a

bill to amend an act passed at the session of the Legislature of 1850-'51, entitled an act to incorporate the McDowell and Yancey Turnpike Company;

Also, a bill for laborer and mechanic's lien, reported the same back to the House, and recommended that they do not pass; which reports were received, and the latter bill was, on motion, laid upon the table.

Mr. Dortch, from the same committee, reported adversely upon the resolution instructing them to inquire into the propriety of paying justices of the peace for the several duties which they are required to perform;

Also, a resolution instructing them to inquire into the expediency of so amending the Statutes as to prevent free persons of color from pedling;

Also, a resolution instructing them to inquire into the propriety of passing a law exempting the wife's property from execution for the debts of the husband;

And a resolution instructing them to inquire into the propriety of so amending the charter of the University as to provide that trustees may fill vacancies.

Mr. Shepherd, from the same committee, to whom was referred a bill relative to the wilful destruction or removal of corner trees or corner stones to surveys of land in this State, reported the same back to the House, and recommended its passage.

Mr. Shepherd, from the same committee, to whom was referred a bill relative to the action of ejectment in the courts of this State, reported the same back to the House, with an amendment, and recommended its passage.

Mr. George Green, from the committee on banks, to whom was referred a bill to incorporate a bank in the town of Plymouth, in the county of Washington, reported the same back to the House, with sundry amendments, and recommended its passage.

Mr. George Green, from the same committee, to whom was referred a bill to incorporate the Farmers and Miners' Bank, to be located at Murphy, in the county of Cherokee, reported the same back to the House, recommending that it do not pass.

On motion of Mr. Roland, the bill and report were re-committed, with instructions to the committee to assign reasons, &c.

Mr. Steele, from the committee to whom was referred

A bill to establish the Bank of Pittsborough; and

A bill to increase the capital stock of the Commercial Bank of Wilmington, reported the same back to the House with a recommendation that they do not pass, and assigning reasons therefor.

Mr. Myers, from the same committee, to whom was referred A bill to increase the capital stock of the Bank of Charlotte; and

A bill to incorporate the Bank of Wilmington, reported the same back to the House with amendments, and recommended their passage.

Mr. Cansler, from the committee on internal improvements, reported favorably a bill to incorporate Laurel Turnpike Company; and unfavorably the bill to establish a public road in the county of Yancey.

Mr. Dortch, from the committee on the revisal of the Statutes, reported unfavorably upon the resolution in relation to the appointment of patrol committees.

Mr. Shepherd, from the committee on finance, reported unfavorably upon the resolution instructing them to inquire into the expediency of authorizing the county courts to tax for county purposes, all things now taxable for State purposes; also favorably, a bill to tax non-residents selling goods, wares or merchandise by sample in this State; also favorably, a bill to make compensation to the justices of the peace for taking lists of taxable property.

Mr. Lancaster from the committee on private bills, to whom was referred a bill to prevent the felling of timber in Northeast River, in Duplin county, reported the same back to the House with a substitute therefor, and recommended its passage.

Mr. D. F. Caldwell, from the committee on banks, to whom was referred the resolution of the House instructing them to inform this House whether, in their opinion, any increase of the banking capital of the State is demanded by the wants of the people, and whether any new banks should now be established; if so, what number, and where located, and what amount of capital, reported that the committee are of opinion that the banking capital of the State should be considerably increased; that there should be some new banks chartered by the legislature; as

to the number and location, the committee are unable to determine.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred a bill to authorize the wardens of the poor of Pasquotank county to sell a portion of the land on which the poor-house is located, reported the same back to the House and recommended its passage; the rule being suspended, the same was read the second time and amended by adding Yancey county, and the bill as amended passed its second reading; the same was then read the third time and ordered to be engrossed.

Mr. Shepherd submitted a resolution in relation to the purchase of indices to revolutionary records in the comptroller's office; the same was read the first time and passed, and referred to the committee on claims.

Mr. Outlaw, a resolution authorizing and directing the President and Directors of the literary fund, to loan to the trustees of the Chowan Female Intstitute \$; the same was read the first time and passed, and referred to the committee on education.

Mr. Cofield introduced a bill (accompanied by sundry memorials,) to lay off and establish a new county by the name of Henry; the same was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Settle, a bill to incorporate the Dan River and Yadkin Railroad Company; which was read the first time and passed, and referred to the committee on internal improvements.

Mr. Bryson, a bill for the relief of Solomon Newton; which was read the first time and passed, and referred to the committee on Cherokee lands, &c.

Mr. Selby, a bill to authorize suits and prosecutions for trespass and other offences committed upon swamp lands, lying in certain counties, (or some of them,) to be commenced by the President and Directors of the literary fund, of the State of North Carolina, in the superior court of law of Washington and Beaufort counties, and for other purposes.

The same was read the first time and passed, and referred to the committee on swamp lands.

Mr. T. H. Williams, by leave, presented a memorial from citizens of Wilmington, on the subject of Cape Fear and Deep River Navigation.

The same was read and transmitted to the Senate with a proposition to print.

On motion of Mr. Baxter, the House now proceeded to the consideration of the special order of the day, being the bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company.

The same was read the second time, amended and passed; yeas 91, nays 14.

Yeas and nays demanded by Mr. Roland.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Chadwick, Cook, Craven, Daniel, Daughtry, Davenport, Dortch, Eure, Flynt. Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, M. Green, A. D. Headen, J. H. Headen, Horton, Humphrey, Johnson, Jones, Jordan, Lancaster, Hugh Leach, J. M. Leach, Long, Love, Lyon, McKesson, Mann, March, Meares, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Sharp, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Waugh, Whitaker, G. M. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, T. H. Williams, Wright and Yancey—91.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Cotton, Dunn, Hill, Holland, Jarvis, Jenkins, Martin, Shaw, C. W. Williams, D. Williams, S. A. Williams and Winston—14.

On motion by Mr. T. H. Williams, an engrossed resolution authorizing Walter Gwynn to examine and report upon the works on the Cape Fear and Deep Rivers, was taken up and read the second time; and

On motion by Mr. Cotton, the same was amended by appointing three members of the House of Commons and two members of the Senate to act with Mr. Gwynn, and that they report to the two Houses of the General Assembly.

The resolution, as amended, passed its second reading; the

rule being suspended, the same was read the third time and passed, and transmitted to the Senate for their concurrence in the amendment,

Mr. Myers introduced a bill to authorize the corporation of the town of Charlotte to subscribe to certain railroads; the same was read the first time and passed, and referred to the committee on corporations.

Mr. Hill, a bill to incorporate the Salem Western and Virginia Turnpike and Plankroad Company; the same was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Selby, a bill to amend the law as to the taking the depositions of witnesses in cases of appeal.

The same was read the first time and passed, and referred to the committee on the revisal of the statutes.

Mr. Phillips, a bill to incorporate the Chapel Hill and Morrisville Plankroad, Tramroad and Turnpike Company.

The same was read the first time and passed, on motion, the rules were suspended, and the same was read the second and third time, passed and ordered to be engrossed.

Mr. Gorrell, a bill concerning executors and administrators; which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Shephered presented a resolution authorizing the public treasurer to deposite with G. G. Sampson of New York, sixty-five State bonds for certain purposes.

The same was read the first time and passed, the rule being suspended, the same was read the second and third time, passed and ordered to be engrossed.

Mr. Gentry presented the following resolution, which was adopted:

Resolved, That the committee on finance, be requested to enquire into the expeciency of taxing all corporate bodies except those for literary purposes, and report by bill or otherwise.

Mr. Daniel presented the resignation of Jno. S. Godwin, a justice of the peace for the county of Hertford; which was received and transmitted to the Senate.

The hour having now arrived under the rule, the House took a recess until three o'clock, P. M.

Three n'clock, P. M.

In pursuance of the joint order of the two Houses, the House now proceeded, with the concurrence of the Senate, to appoint justices of the peace for the several counties in the State.

After which, the House adjourned to Monday morning 10

MONDAY, JANUARY 8, 1855.

The Chair announced the following committee on enrolled bills: Messrs. Phillips, Yancey, A. H. Caldwell, Meares and Selby.

Mr. Shipp presented a memorial opposing the proposition to establish a new county by the name of Golden Valley.

Mr. Daniel, a memorial from citizens of Hertford county relating to the Meherrin river, which was referred to the committee on propositions and grievances.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred a bill to incorporate the Salem, Western and Virginia Turnpike and Plankroad Company, reported the same back to the House, with an amendment, and recommended its passage.

Mr. Bullock introduced a bill to authorize justices of the peace to correct errors in the enlistment of taxables, which was read the first time, passed, and referred to the committee on finance.

Mr. A. H. Caldwell, a bill to incorporate the Gold Hill Mining Company, which was read the first time, passed, and referred to the committee on corporations.

Mr. Sharpe, a bill to authorize the erection of a court-house for the county of Iredell, and for other purposes, which was read the first time and passed; the rule being suspended, the same was read the second time, amended, and passed; the bill was then read the third time, passed, and ordered to be engrossed.

On motion by Mr. Yancey, the bill to incorporate the French Broad Railroad Company, was taken up and made the special order of the day for Thursday next at 12 o'clock.

On motion by Mr. Amis, the resolutions in favor of Wm. Gilliam and John B. Debnam were taken from the table, and placed on file with bills on their second reading.

On motion by Mr. Myers, leave of absence was granted to Mr. Jas. A. Dunn for 10 days.

Mr. Black introduced a bill to incorporate the Davidson College Volunteer Company; the same was read the first time, passed, and referred to the committee on military affairs.

Mr. T. H. Williams introduced a bill to establish a toll bridge across Black river, in New Hanover county, which was read the first time and passed.

Mr. Shepherd, a bill to incorporate the Fayetteville Female High School, which was read the first time, passed, and referred to the committee on corporations.

Mr. Winston, a bill to permit the exportation of oysters under certain circumstances, and to authorize the use of drags, scoops, rakes or other instruments in private oyster grounds; also,

A bill in favor of George Wortham and John W. Gallaway, of the county of Brunswick, which were severally read the first time, passed and referred to the committee on private bills.

On motion by Mr. Gentry, the motion heretofore made to reconsider the vote by which the bill to establish a new county by the name Alleghany was rejected, was taken from the table and adopted; the question then recurring upon the motion to reconsider, the same was determined in the affirmative; yeas 64, nays 42.

Yeas and nays demanded by Mr. Daniel.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryson, Bullock, Cansler, Cofield, Cook, Cotten, Daughtry, Flynt, Garland, Gentry, G. Green, A. D. Headen, J. F. Hill, Holland, Horton, Jarvis, Jordan, Lancaster, J. M. Leach, Love, Lyon, McDuffie, McKesson, McMillan, March, Meares, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Parks, Patterson, Patton, Regan, Roland, Rose, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Sutton, Tomlinson, Vance, Walser, Waugh, Whitaker, J. H. White, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams and Yancey—64.

Those who voted in the negative, were,

Messrs. Amis, Bryant, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Craven, Daniel, Dargan, Davenport,

Dortch, Dunn, Eure, Furr, Gilliam, Gorrell, M. Green, J. H. Headen, Humphrey, Jenkins, Johnson, Jones, H. Leach, Long, Mann, Martin, Outlaw, Perkins, Phillips, Rand, Russell, Selby, Smallwood, Stubbs, Thornburg, Turner, George M. White, L. Whitfield, Wilkins, B. F. Wılliams and Winston—41.

The engrossed bill to lay off and establish a new county by the name of Polk, was read the second time and passed; yeas 65, nays 42.

Yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Barringer, Black, Blow, Bogle, Bryson, Bullock, Cansler, Cofield, Cook, Cotten, Dargan, Daughtry, Dortch, Dunn, Eure, Flynt, Garland, Gentry, Gilliam, George Green, M. Green, A. D. Headen, J. F. Hill, Holland, Horton, Jarvis, Jenkins, Jordan, Lancaster, J. M. Leach, Love, Lyon, McDuffie, McKesson, McMillan, S. J. Neal, Norment, Parks, Patterson, Patton, Phillips, Regan, Roland, Rose, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Turner, Vance, Waugh, J. H. White, Whitlock, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams and Yancey—65.

Those who voted in the negative, were,

Messrs. Amis, Bryant, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Craven, Daniel, Davenport, Furr, Gorrell, J. H. Headen, Humphrey, Johnson, Jones, H. Leach, Long, Mann, March, Martin, Mebane, Mordecai, Outlaw, Perkins, Rand, Russell, Selby, Simmons, Smallwood, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Walser, Whitaker, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams and Winston—42.

The engrossed bill to make compensation to the justices of the peace for taking lists of taxable property, was read the third time, when

Mr. Whitaker moved to recommit the bill, with instructions to the committee to report an amendment, giving to the magistrates of each district that shall take the tax lists therein, one per cent. of all the taxes that shall be levied on the property that may be listed before magistrates, and so to amend the act giving compensation to sheriffs, that they shall receive only five per cent. for collecting the taxes, instead of six per cent. as the law now provides; which was agreed to.

A bill to incorporate the Trent River Navigation Company was read the second time and passed.

A bill to incorporate the Greensboro', Madision and Virginia Plankroad Company, was read the second time, and on motion by Mr. Phillips, amended in section 3d, line 6th, after the word "company" strike out the balance of the section.

Strike out section 9, to section 19 inclusive; the bill as amended passed its second reading.

The Speaker announced that the hour had now arrived to proceed to the consideration of the special order of the day, being the bill to divide the State into nine judicial circuits.

The same was taken up, and on motion by Mr. Shipp, laid upon the table.

On motion by Mr. Patterson, the bill to limit the time within which persons hereafter appointed justices of peace, shall take the oaths of office and for other purposes, was taken from the table, and on motion by Mr. Bullock, the same was indefinitely postponed.

A bill to incorporate Union Bank, was read the second time,

Mr. Martin submitted an amendment.

Mr. Jenkins moved an indefinite postponement of the bill and amendment, pending the consideration of which, the hour arrived, and the House took a recess until three o'clock, P. M.

Three o'clock, P. M.

The House now resumed the consideration of the motion to indefinitely postpone the bill to incorporate Union Bank.

On motion by Mr. Singeltary, the bill and pending amendment were laid upon the table.

A bill to incorporate the Shelby Railroad Company was read the second time and passed.

Mr. Shepherd moved that the bill to re-charter the Bank of the State of North Carolina be taken up and made the special order of the day for Wednesday next at 12 o'clock; which was agreed to.

A bill to amend an act passed at the General Assembly of 1846-'47, entitled an act to incorporate the town of Statesville,

was read the second time and passed; the rule being suspended, the same was read the third time, passed, and ordered to be engrossed.

A bill concerning the Wilmington and Raleigh Railroad Company, was read the second time and passed.

The engrossed bill to amend the 7th section of chapter 17th of Revised Code, entitled cattle, horses and hogs, was read the second time, and

On motion by Mr. Outlaw, indefinitely postponed; yeas 64, nays 34.

Yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Blow, Bogle, Bryson, Bullock, A. H. Caldwell, D. F. Caldwell, Cansler, Chadwick, Cook, Cotten, Craven, Daniel, Dargan, Furr, Gilliam, Gorrell, G. Green, A. D. Headen, J. H. Headen, Hill, Horton, Humphrey, Jenkins, Johnson, Jones, H. Leach, J. M. Leach, Love, McDuffie, McKesson, McMillan, Mann, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Outlaw, Parks, Patton, Regan, Russell, Settle, Sharpe, Shaw, Shepherd, Shipp, Simmons, Singeltary, Stubbs, Sutton, Thornburg, Turner, Vance, Walser, N. B. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Winston, Wright and Yancey—64.

Those who voted in the negative, were,

Messrs. J. Barnes, Black, Bryant, J. B. Bynum, Cofield, Daughtry, Davenport, Eure, Flynt, Gentry, M. Green, Holland, Jarvis, Long, Lyon, March, Martin, Mordecai, Oglesby, Patterson, Perkins, Rand, Roland, Rose, Selby, Smallwood, Tomlinson, Waugh, Whitaker, J. H. White, L. Whitfield, Whitlock, C. W. Williams and S. A. Williams—34.

On motion by Mr. McKesson, the House adjourned to to-morrow morning 10 o'clock.

TUESDAY, JANUARY 9, 1855.

Mr. Jenkins moved that the vote by which the bill to amend the 7th section, chapter 17, of Revised Code, entitled cattle, horses and hogs, was indefinitely postponed, be reconsidered.

On motion by Mr. Dortch, the motion to reconsider was laid upon the table.

Mr. Yancey presented a memorial from citizens of Madison county, for the removal of Marshal, the county site of said county.

The same was referred to the committee on propositions and grievances.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill to protect wives and children; and

A bill concerning constables, reported the same back to the House, with substitutes therefor.

Mr. Norment, from the committee on agriculture, to whom was referred a bill to regulate the sale of grain, meal and salt, reported the same back to the House adversely.

Mr. Shepherd, from the committee on finance, made a general report upon the banks of the State; which was read; and,

On motion by Mr. Whitaker, transmitted to the Senate with a proposition to print.

Mr. Shepherd also, in connection with said report, introduced a bill to increase the revenue of the State; the same was read the first time and passed, and ordered to be printed.

Mr. Steele, from the committee on banks, to whom was referred a bill to recharter the Bank of the State of North Carolina, submitted an adverse report in behalf of Messrs. Geo. Green, D. F. Caldwell and himself; which was read, and on motion by Mr. Humphrey, ordered to be printed.

Mr. Geo. Green, from the committee on internal improvement, to whom was referred a bill to incorporate the Western Railroad Company, reported the same back to the House, with a substitute therefor, and recommended its passage.

Mr. Settle, from the committee on claims, to whom was referred a resolution in favor of Abner Walker, reported the same back to the House, and recommended its passage.

Mr. Lancaster, from the committee on private bills, to whom was referred a bill to permit the exportation of oysters, under certain circumstances, and authorize the use of drags, scoops, rakes or other instruments in private oyster grounds;

Also a bill in favor of George Wortham and John W. Galloway, in the county of Brunswick;

Also a bill to confirm a grant in favor of W. F. Bell, Sr., and Belcher Fuller, and

A bill to confirm a grant in favor of Wm. I. Potter and Joseph

P. Robertson, reported the same back to the House, and recommended their passage.

Mr. Cansler, from the committee on internal improvement, reported unfavorably a bill to provide for draining swamp lands in the county of Pitt.

Also favorably a bill to aid in the completion of the road from Vanoy's Mill, through Ashe, to the Virginia line.

Mr. Roland submitted the following resolution, which was read and adopted.

Resolved, That the agricultural committee be instructed to enquire into the propriety of dividing the State into two geological divisions, and that they be required to report by bill or otherwise.

Mr. Dortch moved to reconsider the vote by which the bill to increase the revenue of the State was ordered to be printed.

On motion by Mr. Winston, the motion to reconsider was laid upon the table.

The Speaker decided, that under the rules, the morning business has precedence over the special orders of the day.

Mr. Baxter appealed from the decision of the Chair, and the House decided that the decision of the Chair should stand as the decision of the House.

Mr. Jordan introduced a bill to authorize the several clerks of this State to sell such of the Revised Statutes that may be remaining in his office, &c.

The same was read the first time and passed.

Mr. Bryant, a bill to pay regular and talis jurors in the county of Nash; which was read the first time and passed.

Mr. Garland presented a resolution in favor of D. D. Baker; the same was read the first time, passed and referred to the committee on claims.

Mr. Humphrey introduced a bill to incorporate the Richlands and New River Plankroad Company, which was read the first time, passed and referred to the committee on corporations.

Mr. Simmons, a bill to incorporate the Trenton and Hallsville Plankroad Company, which was read the first time, passed and referred to the committee on corporations.

Mr. N. B. Whitfield, a bill to incorporate the town of Warsaw; the same was read the first time, passed and referred to the committee on corporations.

On motion by Mr. Steele, the House now agreed to take up and consider the special order of the day, being the bill to incorporate the People's Bank of the State of North Carolina; the same was read the second time, and

On motion by Mr. Barringer, the House went into committee of the whole, Mr. Shepherd in the chair.

Some time being spent in considering said bill, the committee rose, the Speaker resumed the chair, and Mr. Shepherd reported progress and asked leave to sit again.

Thereupon the House, under the rule, took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The House now resumed the consideration of the unfinished business of the morning, being the bill to incorporate the People's Bank of the State of North Carolina, and

On motion by Mr. D. F. Caldwell, the House went into committee of the whole, Mr. Shepherd in the chair, and

After considering the bill for some time, the committee rose, the Speaker resumed the chair, and Mr. Shepherd reported progress and asked leave to sit again.

Thereupon, the House adjourned to to-morrow morning, 10 o'clock.

WEDNESDAY, JANUARY 10, 1855.

Mr. Lancaster, from the committee on private bills, to whom was referred

A bill to increase the pay of witnesses in the county of Onslow; also,

A bill to extend the limits of Ashborough; and

A bill to prevent the felling of timber in Big Brush creek in the county of Randolph, reported the same back to the House and recommended their passage.

Mr. Cansler, from the committee on internal improvements, to whom was referred a bill to authorize Wm. S. Ballinger, his associates and assigns, to construct a dam across Neuse River, reported the same back to the House and recommended its passage.

Mr. A. H. Caldwell, from the committee on corporations, to whom was referred

A bill to incorporate the Gaslight Company; and

A bill to incorporate the Kinston Female College, reported the same back to the House and recommended their passage.

Mr. Waugh, from the committee on propositions and grievances, reported favorably,

A bill to regulate the weight of salt sold in the sack, with an amendment thereto; and unfavorably,

A bill to emancipate Albert, a slave, and

A bill to open a public road in Rowan county, and also

A memorial to open Big Ivy.

On motion by Mr. T. H. Williams, the House took up for consideration the bill to incorporate the Bank of Wilmington; the same was read the second time, when,

On motion by Mr. D. F. Caldwell, the House resolved itself into committee of the whole to consider said bill.

Mr. Shepherd being in the chair, after some time being spent in considering said bill, the committee rose.

The Speaker resumed the chair, and Mr. Shepherd reported progress, and asked leave to sit again; which report was concurred in.

Mr. Outlaw moved to reconsider the vote by which the report of the minority of the committee on banking was ordered to be printed, which was agreed to; and the question recurring upon the motion to print, the same was lost.

The Speaker announced that the hour had now arrived to proceed to the consideration of the special order of the day, being the bill to recharter the bank of the State of North Carolina; which was accordingly taken up and read the second time; when

Mr. Outlaw moved that the House go into committee of the whole; and that the bill to recharter the bank of the State of North Carolina, and that all other bills pending before this House, to recharter or establish banks, be referred to the committee of the whole House; which was agreed to.

Thereupon, the House resolved itself into committee of the whole, Mr. Shepherd in the chair.

After some time being spent in considering said bills,

The committee rose, the Speaker resumed the chair, and Mr. Shepherd reported progress, and asked leave to sit again; which report was concurred in.

The House then took a recess.

Three o'clock, P. M.

Mr. Smith presented the following resolution; which was read and adopted:

Resolved, That the use of this Hall be granted to the North Carolina State Agricultural Society, to-night at 7 o'clock, for the purpose of holding a meeting of the society.

Mr. Jenkins moved to reconsider the vote by which all bills for rechartering or establishing banks, pending in this House, were referred to the committee of the whole House; which motion was rejected.

Mr. Baxter submitted the following resolution; which was read and adopted:

Resolved, That the committee on the Western Turnpike road and Cherokee lands, be instructed to prepare and report a bill to transfer the bonds, in possession of the entry taker, of Cherokee and Macon counties, given for lands entered in said counties, to the agent for the collection of Cherokee bonds.

Mr. Patterson introduced a bill to authorize Lewis S. Hartly, late sheriff of Caldwell county, to collect arrears of taxes due him; the same was read the first time and passed.

Mr. Gentry a bill to incorporate the Mountain Railroad Company, which was read the first time and passed, and referred to the committee on internal improvement.

Mr. Sherrill, a bill to amend an act passed at the session of the General Assembly 1848-'49, entitled an act to open and improve a road from the town of Newton, to the town of Morganton; the same was read the first time and passed.

Mr. Selby, a bill for the draining of Mattamuskeet lake, which was read the first time and passed, and referred to the committee on internal improvement.

Mr. Rose, a bill to amend the Common School law of North Carolina; read the first time and passed.

Mr. Geo. Green, a bill to incorporate the Female Benevolent Society of Newbern; the same was read the first time and passed.

On motion, the rules were suspended, and the bill was read the second and third time, passed, and ordered to be engrossed.

Mr. Bullock, a bill to repeal the office of superintendent of common schools; which was read the first time and passed, and referred to the committee on education.

Mr. Oglesby, a bill to confirm a grant in favor of Richard S. Hall.

The same was read the first time and passed, and referred to the committee on private bills.

Mr. Jones, a bill to repeal an act requiring the enrollment in the militia of free white men of the age of eighteen, &c.

The same was read the first time and passed and referred to the committee on military affairs.

Mr. Houston, a bill providing for the surveying and marking out the dividing line between Duplin and Sampson counties.

The same was read the first time and passed, and referred to the committee on propositions and grievances.

On motion by Mr. Dortch, the House resolved itself into committee of the whole, to consider bills to re-charter and establish banks.

After some time being spent in considering said bills,

The committee rose, the Speaker resumed the chair, and Mr. Shepherd reported that the committee had had under consideration,

A bill to re-charter the Bank of the State of North Carolina; that the committee had made progress, and asked leave to sit again.

Which report was concurred in.

On motion by Mr. Smith, the House adjourned to to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 11, 1854.

Mr. Mann presented a memorial in opposition to the proposed ship canal.

The same was referred to the committee on internal improvement.

Mr. A. H. Caldwell, from the committee on corporations, to whom was referred a bill to incorporate the town of Warsaw, and

A bill to incorporate the Richlands and New River Plankroad Company, reported the same back to the House, and recommended their passage.

Mr. Mebane submitted the following resolution, which under the rules lies over one day.

Resolved, That after Tuesday next, this House will take a recess from 5 P. M., to 7 P. M., and that for the session after 7 P.

M., no business shall be considered except the revisal of the Statutes.

Mr. Myers presented the following resolution, which under the rules was laid over one day.

Resolved, That no bills shall be introduced into this House after the 15th instant.

Mr. B. F. Williams introduced a bill to incorporate the town of Snow Hill, in Green county, and

A bill to incorporate the Snow Hill and Atlantic Plankroad Company.

The same were read the first time and passed, and referred to the committee on corporations.

Mr. Humphrey introduced a bill to incorporate the New River, Wilmington and Topsail Sound Plankroad Company; which was read the first time and passed, and referred to the committee on corporations.

On motion by Mr. Daniel, the bill to incorporate the Central Gold and Copper Mining Company of North Carolina, was taken from the table and placed in the file of bills on their second reading.

On motion by Mr. McDuffie, the bill to emancipate Bettie a slave, was taken from the table, the same having been read the second time, Mr. McDuffie submitted the following amendment:

Provided, That she do not reside out of the county aforesaid, more than thirty days, at any one time.

Also, that she give bond in such an amount as will be approved of by the county court, that she will not become a public charge.

The amendment was adopted, the question being, shall the bill as amended, pass its second reading, was determined in the affirmative; yeas 57, nays 48.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Cofield, Cook, Craven, Daniel, Eure, Flynt, Furr, Garland, Gentry, A. D. Headen, J. H. Headen, Hill, Horton, Humphrey, J. M. Leach, Love, Lyon, McDuffie, McMillan, Mann,

Meares, Myers, Norment, Oglesby, Outlaw, Patton, Perkins, Phillips, Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Thornburg, Vance, Walser, G. M. White, Wilkins, B. F. Williams, C. W. Williams, D. Williams, T. H. Williams, Winston and Wright—57.

Those who voted in the negative, were,

Messrs, A. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Daughtry, Davenport, Dortch, Gilliam, Gorrell, M. Green, Harrison, Holland, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, March, Martin, Mebane, Mordecai, S. J. Neal, Patterson, Rand, Sharpe, Shaw, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Tomlinson, Turner, Watts, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, Whitlock and S. A. Williams—48.

Mr. Settle moved that the series of resolutions heretofore introduced by him, on the subject of slavery, be taken up and made the special order of the day for Thursday next, at 12 o'clock.

The motion was adopted; yeas 63, nays 45.

The yeas and nays demanded by Mr. Settle.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Craven, Dortch, Flynt, Garland, Gentry, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Jenkins, Jordan, Lancaster, J. M. Leach, Long, Love, Lyon, McDuffie, McMillan, Mears, Myers, J. W. Neal, Norment, Patterson, Patton, Phillips, Rand, Roland, Rose, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Steele, Sutton, Tomlinson, Watts, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams and Wright—63.

Those who voted in the negative, were,

Messrs. Baxter, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Cook, Daniel, Dargan, Daughtry, Davenport, Eure, Furr, Gilliam, Gorrell, Harrison, Humphrey, Jarvis, Johnson, Jones, H. Leach, Mann, Martin, Mebane, Mordecai, S. J. Neal, Oglesby, Outlaw, Perkins, Regan, Russell, Selby, Sharpe, Shipp, Simmons, Smith, Stubbs, Thornburg, Vance, Walser, G. M. White, J. H. White, B. F. Williams, T. H. Williams and Winston—45.

Mr. J. M. Leach moved that the resolution heretofore introduced by him, on the subject of the public lands, be taken up and made the special order of the day for Thursday next, at half after 12 o'clock.

Which was determined in the negative; yeas 44, nays 65.

The yeas and nays demanded by Mr. J. M. Leach.

Those who voted in the affirmative, were,

Messrs. Barringer, Bogle, Bryson, Bullock, A. H. Caldwell, D. F. Caldwell, Chadwick, Cook, Cotton, Craven, Daniel, Dargan, Davenport, Eure, Furr, Garland, Gentry, Gorrell, A. D. Headen, J. H. Headen, Holland, Horton, Johnston, Lancaster, H. Leach, J. M. Leach, Love, McDuffie, Mann, Mebane, Patterson, Patton, Perkins, Phillips, Roland, Smith, Steele, Stubbs, Thornburg, Vance, Walser, Wilkins, B. F. Williams and Winston—44.

Those who voted in the negative, were,

Messrs. Badhani, A. Barnes, J. Barnes, Baxter, Black, Blow, Bryant, J. B. Bynum, J. G. Bynum, Cansler, Cofield, Daughtry, Dortch, Flynt, Gilliam, G. Green, M. Green, Harrison, Hill, Humphrey, Jarvis, Jenkins, Jones, Jordan, Long, Lyon, McMillan, March, Martin, Meares, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Rand, Regan, Rose, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, T. H. Williams and Wright—65.

Mr. Singeltary moved that said resolution be now taken up and considered; which was agreed to.

The resolution was accordingly taken up and read; and amended, on motion by Mr. Leach of Davidson.

Mr. Dortch then moved that the resolution be indefinitely postponed; which was determined in the negative; yeas 55, nays 57.

The yeas and nays demanded by Mr. McKesson.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Daughtry, Dortch, Flynt, M. Green, Hill, Holland, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, Long, Lyon, McMillan, Martin, Myers,

J. W. Neal, Norment, Oglesby, Rand, Regan, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—55.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Cook, Craven, Daniel, Dargan, Davenport, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, Harrison, A. D. Headen, J. H. Headen, Horton, Johnston, Jones, H. Leach, J. M. Leach, Love, McDuffie, McKesson, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Walser, Wilkins, B. F. Williams and Winston—57.

The question recurring upon the passage of the resolution as amended,

Mr. B. F. Williams demanded the yeas and nays thereon, which were accordingly ordered and resulted as follows:

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Cook, Craven, Daniel, Dargan, Davenport, Eure, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, Harrison, A. D. Headen, J. H. Headen, Horton, Johnson, Jones, Lancaster, H. Leach, J. M. Leach, Love, Mc-Kesson, Mann, March, Mebane, Mordecai, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Walser, Wilkins, B. F. Williams and Winston—57.

Those who voted in the negative, were,

Messrs. Badhain, A. Barnes, J. Barnes, Black, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Daughtry, Dortch, Flynt, M. Green, Hill, Holland, Humphrey, Jarvis, Jenkins, Jordan, Long, Lyon, DcDuffie, McMillan, Martin, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M.

White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—57.

There being a tie, the Speaker voted in the negative, and the resolutions were rejected.

Mr. Love moved that the House now resolve itself into committee of the whole, to consider bills to re-charter and to establish banks.

Which was disagreed to.

Mr. Shepherd moved to take from the table the engrossed bill, to cede to the United States of America, certain sites for light house purposes.

Which was agreed to, and the bill was taken up and read the second time, and

On motion by Mr. Shepherd, amended and passed.

Mr. Mebane moved that the bill to amend an act entitled an act, to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, be taken up and made the special order of the day for Wednesday next.

Which was disagreed to.

The Speaker announced that the hour had now arrived for the consideration of the special order of the day, being the bill to incorporate the Greenville and French Broad Railroad Company.

The same was taken up, and Mr. J. G. Bynum moved it be indefinitely postponed, and subsequently withdrew the motion, and moved that the bill be postponed until to-morrow at 11 o'cl'k.

Mr. Love moved that it be made the special order of the day for Saturday next, but subsequently withdrew his motion; and the motion to postpone until to-morrow was carried.

The engrossed bill to lay off and establish a new county by the name of Polk, was taken up and read the third time; when

Mr. J. G. Bynum submitted the following amendment, which was adopted:

"Be it further enacted, That the county site of said county shall be located by Joseph J. Erwin of Burke, Major Ben Burgin of McDowell, and John R. Logan of Cleveland, or a majority of them, at the geographical centre of the county, or within two miles thereof.

Mr. Outlaw moved that the bill be indefinitely postponed, and afterwards withdrew his motion.

The bill as amended then passed its third reading, and was ordered to be engressed, yeas 57, nays 43.

The yeas and nays demanded by Mr. Craven.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Barringer, Black, Blow, Bogle, Bryson, Bullock, J. G. Bynum, Cansler, Cofield, Daughtry, Flynt, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Horton, Jarvis, Jenkins, Jordan, Lancaster, Love, Lyon, McDuffie, McKesson, McMillan, J. W. Neal, S. J. Neal, Norment, Oglesby, Patterson, Patton, Regan, Roland, Rose, Settle, Sharpe, Sherrill, Shipp, Singeltary, Sutton, Tomlinson, Turner, Vance, Watts, Waugh, J. H. White, Whitlock, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—57.

Those who voted in the negative, were,

Messrs. Bryant, J. G. Bynum, D. F. Caldwell, Chadwick, Cotten, Craven, Daniel, Davenport, Eure, Furr, Gorrell, G. Green, J. H. Headen, Humphrey, Johnson, Jones, H. Leach, J. M. Leach, Long, Mann, March, Martin, Myers, Mebane, Mordecai, Meares, Outlaw, Perkins, Rand, Russell, Selby, Shaw. Simmons, Smallwood, Smith, Steele, Stubbs, Thornburg, Whitaker, L. Whitfield, N. B. Whitfield, Wilkins and Winston—43.

On motion by Mr. McKesson, the House now took a recess until half past 3 o'clock.

Half past three o'clock, P. M.

On motion by Mr. George Green, the engrossed bill to emancipate John Good, a slave, was taken up, and read the second time and passed.

Mr. Blow moved that the rules be suspended, and the bill be put upon its second reading, upon which motion Mr. Whitaker demanded the yeas and nays, which were ordered, and resulted as follows, yeas 51, nays 71.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Barringer, Baxter, Blow, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chad-

wick, Cofield, Cook, Cotten, Craven, Daughtry, Flynt, Furr, Gentry, Gilliam, G.Green, M. Green, A.D. Headen, Horton, Humphrey, Jarvis, Jenkins, Johnson, Lancaster, H. Leach, J. M. Leach, Love, McMillan, Mann, March, Mordècai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Patterson, Regan, Roland, Rose, Russell, Settle, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Stubbs, Thornburg, Vance, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, Whitlock, Wilkins, C. W. Williams and D. Williams—51.

Those who voted in the negative, were,

Messrs. Bryant, Bullock, Daniel, Gorrell, J. H. Headen, Holland, Jones, Jordan, Long, Martin, Sharpe, Smith, Steele, Tomlinson, Turner, Whitaker and Yancey—17.

Two-thirds of the House having voted in the affirmative, the rules were suspended, and the bill read the third time and passed; yeas 60, nays 26.

Yeas and nays demanded by Mr. Daughtry.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryson, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Chadwick, Cofield, Cook, Cotton, Craven, Flynt, Furr, Gentry, Gilliam, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Horton, Humphrey, Johnston, Lancaster, H. Leach, J. M. Leach, Love, McKesson, McMillan, Mann, March, Myers, S. J. Neal, Norment, Oglesby, Patterson, Perkins, Regan, Roland, Rose, Russell, Settle, Shepherd, Shipp, Singeltary, Stubbs, Sutton, Thornburg, Vance, Waugh, G. M. White, Wilkins, B. F. Williams and C. W. Williams—60.

Those who voted in the negative, were,

Messrs. Bryant, Bullock, Daniel, Danghtry, Gorrell, Holland, Jones, Jordan, Long, Martin, Rand, Sharpe, Sherrill, Simmons, Smith, Steele, Tomliuson, Turner, Watts, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Whitlocd, D. Williams and Yancey—26.

The bill was ordered to be enrolled.

Mr. Love moved that the House resolve itself into committee of the whole, to consider bills to recharter and to establish banks; which was disagreed to.

Mr. J. G. Bynum moved that the House do now adjourn to

to-morrow morning 10 o'clock; which was disagreed to; yeas 4, nays 85.

Yeas and nays demanded by Mr. G. M. White.

Those who voted in the affirmative, were,

Messrs. Chadwick, Hill, Horton and Shipp-4.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Barringer, Baxter, Bogle, Bryant, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Cofield, Cook, Cotton, Craven, Daniel, Daughtry, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, M. Green, A. D. Headen, J. H. Headen, Holland, Humphrey, Jarvis, Jenkins, Johnston, Jones, Jordan, Lancaster, H. Leach, J. M. Leach, Long, Love, McKesson, McMillan, Mann, March, Martin, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Rose, Russell, Selby, Settle, Sharpe, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, D. Williams and Yancey—85.

Mr. Jno. G. Bynum presented a recommendation for the appointment of Jno. A. Grant, a justice of the peace for the county of Rutherford.

The same was concurred in, and sent to the Senate.

M1. Humphrey presented the following resolution, which was read and adopted:

Resolved, That the Commons Hall be appropriated to the use of the North Carolina State Agricultural Society, on to-morrow evening at 7 o'clock.

On motion by Mr. Tomlinson, the engrossed bill to authorize Wm. S. Ballinger, his associates and assigns, to construct a dam across Neuse River, was taken up, the bill having been before read the second time.

Mr. Mordecai submitted the following amendment to the first section of the bill:

Provided, That the dam hereby authorized, shall be so constructed as not to interfere with the free navigation of Neuse River, or passage of fish up the same.

Which was adopted, and the bill as amended passed its second reading.

Mr. McKesson moved that this House do now adjourn to-morrow morning, 10 o'clock.

Which was agreed to; yeas 61, nays 32.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Baxter, Black, Blow, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Cofield, Cook, Craven, Daniel, Davenport, Furr, Gorrell, G. Green, A. D. Headen, J. H. Headen, Hill, Humphrey, Johnson, Jones, J. M. Leach, Love, McKesson, McMillan, Mann, March, Martin, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Parks, Patterson, Patton, Perkins, Roland, Rose, Russell, Selby, Sharpe, Shepherd, Shipp, Simmons, Smith, Steele, Stubbs, Sutton, Turner, Vance, Watts, Whitaker, G. M. White, J. H. White, N. B. Whitfield and T. H. Williams—61.

Those who voted in the negative, were,

Messis. A. Barnes, J. Barnes, Bryant, Bullock, J. B. Bynum, Cansler, Daughtry, Flynt, Garland, M. Green, Holland, Horton, Jarvis, Jordan, H. Leach, Long, Myers, Norment, Regan, Settle, Sherrill, Singeltary, Smallwood, Thornburg, Tomlinson, Waugh, L. Whitfield, Whitlock, B. F. Williams, S. A. Williams, C. W. Williams and Yancey—32,

So the House adjourned to to-morrow morning, 10 o'clock.

FRIDAY, JANUARY 12, 1855.

On motion by Mr. Stubbs, Mr. Fred. Grist, member elect from the county of Beaufort, came forward, presented his credentials, and was duly qualified and took his seat.

Mr. Jenkins presented a memorial on the subject of selling spirituous liquors to slaves, which was referred to the committee on the judiciary.

Mr. Stubbs presented a memorial from citizens of Beaufort county, on the subject of intemperance;

Mr. Mebane, a like memorial from citizens of Alamance county; and

Mr. Daniel, a like memorial from citizens of Hertford county;

Which were severally referred to the committee on propositions and grievances.

Mr. T. H. Williams, from the committee on education, reported favorably "a resolution to authorize the literary board to loan one thousand dollars to Robertson Institute," and unfavorably "a bill to alter the common school law as far as relates to the county of Johnston," and also "a bill to vest in the president and directors of the literary fund of the State of North Carolina, the title to certain lands covered by the navigable waters in this State, in trust as a public fund for education, and for the benefit of common schools."

Mr. T. H. Williams, from the same committee, to whom was referred "a resolution authorizing and directing the president and directors of the literary fund, to loan to the trustees of Chowan Female Institute," reported the same back to the House, and recommended its rejection.

On motion by Mr. Outlaw, the resolution was recommitted.

Mr. Carmichael, from the committee on internal improvement, to whom was referred "a memorial from the stockholders of the Caldwell and Watauga Turnpike company," reported the same back to the House, accompanied by a bill, which was read the first time and passed.

Mr. Dargan, from the committee on military affairs, reported favorably "a bill to encourage the formation of a military uniform company in the town of Wilmington;" also, "a bill to exempt persons from military duty, who served in the late war with Mexico," and unfavorably "a bill exempting certain persons in Haywood county from doing military duty;" and also against the memorial from the Summerfield guards in Guilford county.

Mr. Outlaw, from the committee on corporations, reported back "a bill to authorize the corporation of the town of Charlotte to subscribe to certain railroads," without amendment, and recommended its passage.

Also, "a bill authorizing the commissioners of the town of Salisbury to subscribe for stock in the Western Railroad Company, and the Salisbury and Mocksville Plankroad Company," with sundry amendments, and recommended its passage.

Mr. A. H. Caldwell, from the same committee, to whom was referred a bill to incorporate the Trenton and Hallsville Plank-

road Company, reported the same back to the House, and recommended its passage.

Mr. Steele, from the same committee, to whom was referred the bill to amend the charter of the town of Salisbury, reported the same back to the House, and recommended its passage.

Mr. Waugh, from the committee on propositions and grievances, reported favorably

A bill to annex a part of Edgecombe county to the county of Nash; also

A bill to lay off and establish a new county by the name of Henry; also

A bill to lay off and establish the county of Wilson; and unfavorably

A bill concerning public roads in this State.

Mr. Roland, from the committee on the Western Turnpike road and Cherokee lands, to whom was referred

A bill for the relief of Solomon Newton; and

A bill supplemental to, and amendatory of, an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike road, reported the same back to the House with sundry amendments, and recommended their passage.

Mr. B. F. Williams moved to reconsider the vote by which the bill to establish a new county by the name of Polk, was passed.

Mr. Bryson moved to lay the motion upon the table, and sub-sequently withdrew his motion.

Mr. Bullock then moved that the motion to reconsider, be indefinitely postponed; upon the passage of which,

Mr. Outlaw demanded the yeas and nays; which were ordered, and determined in the affirmative; yeas 58, nays 46.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bogle, Bryson, Bullock, J. B. Bynum, Causler, Cofield, Daughtry, Dortch, Flynt, Furr, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Horton, Jarvis, Jenkins, Jordan, Lancaster, Love, McDuffie, McKesson, McMillan, Myers, J. W. Neal, Norment, Oglesby, Patterson, Patton, Perkins, Regan, Roland, Rose, Settle, Shaw, Sherrill, Shipp, Singeltary, Sutton,

Tomlinson, Vance, Watts, Waugh, J. H. White, Whitlock, C. W. Williams, D. Williams, T. H. Williams, Wright and Yancey—58.

Those who voted in the negative, were,

Messrs. Bryant, A. H. Caldwell, D. F. Caldwell, Carmichael, Cook, Craven, Daniel, Davenport, Eure, Gilliam, Gorrell, G. Green, Grist, Harrison, J. H. Headen, Humphrey, Johnston, Jones, H. Leach, J. M. Leach, Long, Mann, March, Martin, Meares, Mebane, Mordecai, Outlaw, Parks, Phillips, Rand, Russell, Selby, Sharpe, Simmons, Smallwood, Smith, Steele, Stubbs, Thornburg, Turner, Walser, Whitaker, L. Whitfield, B. F. Williams and Winston—46.

Mr. Singeltary submitted the following resolution, which under the rules lies over one day.

Resolved, That hereafter, the yeas and nays shall not be ordered in any case where objection is made, unless the call be seconded by at least fifteen members.

Mr. Cook presented the following resolution, which under the rules, lies over one day.

Resolved, That from and after the 20th of this instant, there shall be no more bills introduced in this House, during the remainder of the session, unless by general consent of the House.

Mr. Perkins submitted the following resolution, which was read and adopted.

Resolved, That the committee on the judiciary, be instructed to enquire into the propriety of facilitating the means of taking the private examination of feme coverts, so as to dispense altogether, with their attending court for that purpose, and if deemed expedient, to report by bill.

Mr. Russell, a resolution in favor of A. H. Sanders, late sheriff of Montgomery county.

Which was read the first time, passed and referred to the committee on claims.

On motion by Mr. Baxter, the House proceeded to the consideration of the special order of the day, being the bill to incorporate the Greenville and French Broad Railroad Company.

The same was read the third time.

Mr. Dortch moved that the further consideration of the bill be

postponed, and subsequently withdrew the motion, and moved to lay the bill upon the table.

Which motion was lost; yeas 27, nays 74.

The yeas and nays demanded by Mr. Bryson.

Those who voted in the affirmative, were,

Messis. Barringer, Bryant, Bryson, J. G. Bynum, Carmichael, Cook, Dortch, Jenkins, J. M. Leach, Love, McMillan, March, Mordecai, Parks, Patton, Patterson, Perkins, Phillips, Rand, Roland, Rose, Singeltary, Smith, Sutton, Whitaker, L. Whitfield and T. H. Williams—27.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Black, Blow, Bogle, Bullock, J. B. Bynum, D. F. Caldwell, Cansler, Cofield, Daniel, Dargan, Daughtry, Davenport, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Johnson, Jordan, Lancaster, H. Leach, Long, McDuffie, McKesson, Mann, Martin, Meares, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Regan, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Steele, Stubbs, Thornburg, Tomlinson, Turner, Vance, Walser, Watts, Waugh, J. H. White, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, D. Williams, Winston and Yancey—74.

Mr. McKesson moved that the further consideration of the bill be postponed until Thursday next, at one o'clock, which was disagreed to.

Mr. J. G. Bynum submitted the following amendment:

"And to construct a road with one or more tracks, of the same and uniform guage of the North Carolina Road."

Pending the consideration of which, the hour arrived, and the House took a recess.

Three o'clock, P. M.

The House now resumed the consideration of the pending bill and amendment. The question upon the passage of the amendment being taken, it was rejected, yeas 18, nays 79.

The yeas and nays demanded by Mr. Bryson.

Those who voted in the affirmative, were,

Messrs. Barringer, Bryson, J. G. Bynum, A. H. Caldwell,

Craven, Garland, Jones, Mann, Martin, Mordecai, Outlaw, Patton, Phillips, Roland, Sharpe, Smith, Watts and Whitaker—18.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Black, Blow, Bogle, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Cansler, Cofield, Cook, Daniel, Dargan, Daughtry, Davenport, Eure, Flynt, Furr, Gentry, Gilliam, Gorrell, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Johnson, Jordan, Lancaster, Hugh Leach, J. M. Leach, Long, McDuffie, McKesson, March, Meares, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Patterson, Perkins, Rand, Regan, Russell, Selby, Settle, Shaw, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Waugh, G. M. White, J. H. White, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, D. Williams, Winston and Yancey—79.

Mr. Baxter submitted the following amendment, which was adopted:

Strike out all after the word "time," in the 31st line of the 26th section, and insert "cross the same or connect therewith at one or more points, any other road at the discretion of the General Assembly."

Mr. McKesson submitted the following amendment, which was rejected:

After the words "General Assembly," in section 26, line 33, add the following: "or cross the same, and the said company shall not regulate charges for freights and fare on said road to prevent a fair and equal competition by said North Carolina Railroad Company with said company, for the freights and travel which shall pass over the Greenville and French Broad Railroad."

Mr. J. G. Bynum moved to amend the bill by striking out the 11th section, which was rejected.

Mr. Barringer moved to amend the bill by striking out "one hundred and," and limiting the charter to ninety years.

Mr. Dortch moved that this House do now adjourn to to-morrow morning, ten o'clock, which was disagreed to.

Mr. Barringer then withdrew his amendment.

Mr. Love moved that the House now adjourn, which was disagreed to.

Mr. McKesson submitted the following amendment, to come in

section 26, line 19: insert, "and shall not connect with the western extension of the North Carolina Railroad, east of the Blue Ridge."

Mr. N. B. Whitfield moved that the House do now adjourn, which was disagreed to.

Mr. Gilliam moved to reconsider the vote by which the first amendment submitted by Mr. J. G. Bynum was rejected, and the House refused to reconsider.

Mr. J. G. Bynum submitted the following amendment, in section 26, line 16 to 20: strike out, "limited to the construction of a railroad from some convenient and practicable point on said last mentioned road, in the county of Buncombe or Henderson, to some convenient point in the State of South Carolina, as indicated in the first section of this act," and insert in lieu thereof, "void."

Pending the consideration of which, on motion by Mr. Mabane, the House adjourned to to-morrow, 10 o'clock.

SATURDAY, JANUARY 13, 1855.

Mr. Carmichael presented a memorial from citizens of Wilkes county, on the subject of temperance, and

Mr. Selby, a like memorial from citizens of Hyde county.

Which were severally referred to the committee on propositions and grievances.

On motion by Mr. McKesson, the bill to incorporate the North Carolina and Western Railroad Company, was taken up and made the special order of the day for Wednesday next, at 12 o'clock.

Mr. Holland presented a memorial from the grand jury of Cleaveland county, on the subject of that judicial circuit.

The same was referred to the committee on the judiciary.

Received from the Senate a message, informing the House that they have passed the bill to authorize the erection of a court house for the county of Iredell, and for other purposes; with an amendment, adding "section 7."

Which was agreed to, and the bill ordered to be enrolled.

Also, informing that the Senate has agreed to the amendment proposed by the House, to the engrossed bill from the Senate, to lay off a county by the name of Polk, and the bill was ordered to be enrolled.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred a bill for the better regulation of the inspection of flour in the town of Fayetteville, reported a substitute therefor, and the same was read the first time and passed.

Mr. Steele, from the committee on corporations, to whom was referred the following bills, reported the same back to the House, and recommended their passage, viz:

A bill to incorporate the Snow Hill and Atlantic Plankroad Company;

A bill to incorporate Snow Hill, in Green county;

A bill to incorporate the Fayetteville Female High School; and

A bill to incorporate the New River, Wilmington and Topsail Sound Plankroad Company.

The resolution heretofore submitted by Mr. Myers, to prohibit the introduction of bills after the 15th inst., was taken up, and

On motion by Mr. Roland, laid upon the table.

The resolution heretofore introduced by Mr. Singeltary, relating to calling the yeas and nays, was taken up, and Mr. Singeltary submitted the following amendment:

Strike out all after the word "resolved," and insert, "That when a question is pending before the House, any member may move the previous question, and the effect of the motion shall be to put an end to debate, and bring the House to a direct vote upon amendments reported by a committee, if any upon pending amendments; and thereupon the main question and the motion shall always be in order."

On motion by Mr. Smith, the amendment was laid upon the table; yeas 63, nays 46.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Barringer, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Cook, Craven, Daniel, Dargan, Davenport, Eure, Furr, Garland, Gilliam, Gorrell, Harrison, J. H. Headen, Holland, Horton, Johnston, Jones, Lancaster, H. Leach, J. M. Leach, Love, McDuffie, McKesson, Mann, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Rand, Roland, Rose, Russell, Sharpe, Shaw, Shipp, Simmons, Smith, Steele,

Stubbs, Sutton, Thornburg, Turner, Vance, Walser, Wilkins, B. F. Williams and T. H. Williams—63.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Blow, Bryant, Bullock, J. B. Bynum, Cofield, Cotton, Daughtry, Dortch, Flynt, Gentry, M. Green, A. D. Headen, Hill, Humphrey, Jarvis, Jordan, Long, McMillan, Myers, Norment, Oglesby, Regan, Selby, Settle, Shepherd, Sherrill, Singeltary, Smallwood, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, S. A. Williams, Wright and Yancey—46.

The resolution heretofore introduced by Mr. Cook, to prohibit the introduction of bills after the 20th inst., was taken up, and

On motion by Mr. S. A. Williams, laid upon the table.

The resolution heretofore submitted by Mr. Mebane, relative to night sessions, was taken up.

Mr. Stubbs submitted the following amendment:

Strike out all after the word "Resolved," and insert the following: "That from and after Monday next, this House meet at 10 o'clock, A. M, and adjourn at 3½ o'clock, P. M."

Mr. Humphrey moved the whole matter be indefinitely postponed, and Mr. McDuffie moved to lay upon the table, which latter motion was carried, yeas 61, nays 47.

The yeas and nays demanded by Mr. Dortch.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryson, Cansler, Cofield, Cotten, Craven, Daughtry, Eure, Flynt, Furr, Garland, Gilliam, G. Green, Harrison, A. D. Headen, Hill, Horton, Mumphrey, Jarvis, Lancaster, J. M. Leach, Love, McDuffie, McKesson, McMillan, March, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Rand, Roland, Rose, Russell, Sharpe, Shepherd, Shipp, Singeltary, Steele, Thornburg, Turner, Whitaker, G. M. White, J. H. White, Wilkins, D. Williams, S. A. Williams, T. H. Williams, Winston and Yancey—61.

Those who voted in the negative, were,

Messrs. Bryant, Bullock, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Carmichael, Cook, Daniel, Dargan, Davenport, Dortch, Gentry, Gorrell, M. Green, J. H. Headen, Holland, Johnson,

Jones, Jordan, Hugh Leach, Long, Mann, Mebane, Myers, Norment, Parks, Regan, Selby, Settle, Shaw, Sherrill, Simmons, Smallwood, Smith, Stubbs, Sutton, Tomlinson, Vance, Walser, Watts, Waugh, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams and Wright—47.

Mr. B. F. Williams submitted the following resolution:

Resolved, That a message be sent to the Senate proposing to adjourn both Houses of the General Assembly sine die on Monday, the 29th instant.

Which, on motion by Mr. Baxter, was laid upon the table, yeas 88, nays 18.

The yeas and nays demanded by Mr. Myers.

Those who voted in the affirmative were,

Messrs. Badbam, A. Barnes, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, A. H. Caldwell, D. F. Caldwell, Carmichael, Cofield, Cotten, Craven, Daniel, Dargan, Daughtry, Davenport, Eure, Flynt, Garland, Gentry, Gilliam, Gorrell, A. D. Headen, J. H. Headen, Hill, Humphrey, Jarvis, Johnson, Jordan, H. Leach, J. M. Leach, Long, Love, Mann, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Patton, Perkins, Roland, Rose, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—88.

Those who voted in the negative, were,

Messrs. Bullock, J. B. Bynum, J. G. Bynum, Cansler, Cook, Dortch, Furr, G. Green, M. Green, Harrison, Jones, Lancaster, Myers, Rand, Regan, Vance, L. Whitfield and B. F. Williams-18.

Mr. Cook presented the following resolution:

Resolved, That a message be sent to the Senate, proposing to adjourn the two Houses of the General Assembly sine die, on Monday the 5th February, and

Mr. Jarvis submitted the following amendment:

Strike out all after the word "resolved" and insert, "that no motion in relation to adjournment, shall be received within the present month, so that the House may proceed to business."

On motion by Mr. Barringer, the resolution and amendment were laid upon the table.

Mr. Whitaker submitted the following resolution, which was read and adopted:

Resolved, That from this day the hour of taking recess, shall be postponed until 2 o'clock, P. M., and that the use of the Hall of the House of Commons, be granted to the State Agricultural Society, at 4 o'clock.

Mr. Gilliam submitted the following resolution, which was read and adopted.

Resolved, That the committee on the judiciary be instructed to examine, and if deemed expedient, report a bill preventing the fictitious or colourable endorsement of bills, bonds or notes, so as to give jurisdiction to courts of counties distant from the residence of the makers and bona fide endorsers of such bills, bonds or notes.

Mr. S. A. Williams submitted the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary, be instructed to enquire into the expediency of enacting a law, providing that all retailers of spirituous liquors, shall be required to make oath in open court, that they will not violate any of the acts of the General Assembly, concerning the selling of spirituous liquors to slaves, and further providing, that such retailers shall be subject to all of the pains and penalties of perjury, if they shall sell any spirituous liquors to a slave, in violation of the law, and contrary to said oath.

On motion by Mr. Baxter, the rules were suspended, and the House proceeded to the consideration of the unfinished business of yesterday, being the bill to incorporate the Greenville and French Broad Railroad Company, and the pending amendment.

The question upon the passage of the amendment being taken, the same was rejected; yeas 15, nays, 79.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Bryson, J. G. Bynum, Dortch, Love, Meares, Outlaw, Parks, Perkins, Roland, Smith, Turner, Whitaker, L. Whitfield and N. B. Whitfield—15.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Baxter, Black, Blow, Bogle, Bry-

ant, Bullock, J. B. Bynum, D. F. Caldwell, Cansler, Carmichael, Cook, Cotten, Daniel, Dargan, Daughtry, Davenport, Eure, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Harrison, A. D. Headen, Hill, Holland, Horton, Humphrey, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, McDuffie, McKesson, McMillan, Mann, March, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Patterson, Rand, Regan, Rose, Russell, Selby, Settle, Shaw, Shepherd, Shipp, Simmons, Singeltary, Smallwood, Stubbs, Thornburg, Tomlinson, Vance, Walser, Watts, G. M. White, J. H. White, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—79.

Mr. J. G. Bynum submitted the following amendment:

Provided however, That said railroad shall not cross the Blue Ridge south of the Reedy Patch Gap; which was rejected; yeas 25, nays 68.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. Bryson, J. G. Bynum, Cansler, Cook, Daughtry, Dortch, Garland, J. M. Leach, McKesson, March, Meares, Mordecai, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Sherrill, Shipp, Smith, Sutton, Turner, Walser and Whitfield—25.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Black, Blow, Bogle, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Carmichael, Cotten, Dargan, Davenport, Eure, Flynt, Furr, Gentry, Gorrell, G. Green, M. Green, Harrison, A. D. Headen, Hill, Holland, Humphrey, Johnson, Jones, Jordan, Lancaster, Hugh Leach, Long, Love, McDuffie, McMillan, Mann, Mebane, Myers, J. W. Neal, Norment, Rand, Regan, Roland, Russell, Selby, Settle, Shaw, Shepherd, Simmons, Singeltary, Smallwood, Thornburg, Tomlinson, Vance, Waugh, Whitaker, G. M. White, J. H. White, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—68.

Mr. J. G. Bynum submitted the following amendment to the first section:

Provided, however, That said railroad shall not cross the Blue

Ridge south of the Swananoa Gap; which was rejected; yeas 17, nays 76.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. Bryson, J. G. Bynum, Cook, Daughtry, Dortch, J. M. Leach, Meares, Outlaw, Parks, Perkins, Shipp, Smith, Turner, Whitaker, L. Whitfield and T. H. Williams—17.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Dargan, Eure, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, Humphrey, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Patterson, Patton, Rand, Regan, Roland, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Vance, Waugh, G. M. White, J. H. White, N. B. Whitfield, Whitlock, Wilkins, B. F. Wilfiams, C. W. Williams, D. Williams, Winston, Wright and Yancy—76.

Mr. Craven submitted the following amendment:

Amend so as to require said company to pay 50 cents on each passenger into the treasury of the State, that may travel over said road from the South Carolma line, to the Tennessee line, and vice versa, and to limit said corporation to ninety years.

Pending the consideration of which, on motion by Mr. Whitaker, the House adjourned to Monday morning, 10 o'clock.

MONDAY, JANUARY 15, 1855.

The Chair announced the following committee on engrossed bills:

Messrs. Jordan, Gorrell, Myers, Mann and Sherrill.

Mr. Stubbs presented a memorial from citizens of Beaufort county, in relation to county courts, and

Mr. Yancey a memorial from citizens of Madison county, for the removal of Maishall, the county site.

The same were referred to the committee on propositions and grievances.

Mr. Martin submitted the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary, be instructed to enquire into the expediency of enacting a law, making all deeds of trust hereafter to be executed, null and void, to all intents and purposes, so far as creditors are concerned, unless they provide for the payment of all the debts of the bargainor, pro-rata, and without any distinction or preference whatever, and that said committee report by bill or otherwise.

On motion by Mr. Stubbs, the resolution heretofore introduced by him, instructing the committee on the judiciary, to report a bill to abolish jury trials in the county courts, &c., was taken from the table and read.

Mr. Singeltary moved to lay the same upon the table, which was agreed to; yeas, 72, nays 35.

The yeas and nays demanded by Mr. Stubbs.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, J. Barnes, Black, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, Cook, Cotten, Craven, Daniel, Devenport, Eure, Flynt, Furr, Gentry, Gilliam, Harrison, A. D. Headen, Hill, Holland, Jarvis, Jenkins, Johnson, Jordan, Lancaster, J. M. Leach, Long, Love, McDuffie, McMillan, March, Martin, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Perkins, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Sutton, Thornburg, Tomlinson, Vance, Walser, Watts, Waugh, Whitaker, J. H. White, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Winston and Wright—72.

Those who voted in the negative, were,

Messrs. Badham, Barringer, Baxter, Blow, A. H. Caldwell, Carmichael, Chadwick, Cofield, Dargan, Daughtry, Dortch, Gorrell, G. Green, J. H. Headen, Horton, Humphrey, Jones, Hugh Leach, McKesson, Mann, Mebane, Myers, Patterson, Sharpe, Shaw, Steele, Stubbs, Turner, G. M. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, T. H. Williams and Yancey—35.

Mr. Mann introduced a bill to ascertain the number of magistrates that are now and will be in the State, which was read the

first time, passed, and reported to the committee on the judiciary.

Mr. Carmichael, a bill to authorize the construction of a toll

bridge across the Yadkin river near Jonesville;

Also, a bill to establish a public road from William Phillips' to the stage road at or near Jonas Burket's, in Ashe county; the same were read the first time and passed.

Mr. Gilliam, a bill to complete the turnpike road from the head of Pungo river to the Plymouth and Long Acre road; the same was read the first time, passed, and referred to the committee on

internal improvements.

Mr. Nerment, a bill to establish State Agricultural Normal Schools in each congressional district in North Carolina, which was read the first time, passed, referred to the committee on education, and ordered to be printed.

Mr. Yancey a bill to prevent the felling of timber, &c., in Big and Little Ivy, which was read the first time and passed.

Mr. George Green, a bill to incorporate the Newbern and Neuse River Bridge Company, in the county of Craven, which was read the first time, passed, and referred to the committee on corporations.

Mr. Horton, a bill to prevent obstructing the passage of fish up New river, in the counties of Ashe and Watauga; the same was read the first time and passed.

Mr. McMillan, a bill to incorporate the Wilmington Savings Bank, which was read the first time, passed, and referred to the committee on corporations.

Atso a bill to repeal the 1st section of 9th chapter of the Revised Statutes to encourage direct importation, which was read the first time, passed, and referred to the committee on the judiciary.

Mr. Lancaster, a bill to amend an act entitled an act to incorporate the town of Graham, in the county of Alamance, passed at the session of 1850-'51, which was read the first time and passed.

Mr. Jones, a bill to repeal so much of the act concerning public roads, as requires persons of eighteen years of age to work on them, and for other purposes.

Read the first time, passed, and referred to the committee on propositions and grievances.

Mr. J. G. Bynum submitted the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to

inquire into the expediency of allowing justices of the peace fees, for taking depositions in suits to betried in our own courts, and in foreign courts.

Mr. D. F. Caldwell submitted a resolution in favor of W. A. Winborn.

Read the 1st time, passed, and referred to the committee on claims.

Mr. Gilliam submitted the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of providing by law authorizing any defendant sued to any county court in this State, at the appearance term, after plea pleaded, on affidavit filed that he believes there are matters of fact or law involved in the issues, which he believes the county court is incompetent to do justice to, to have the cause removed at once to the superior court, and also to allow causes to be removed by consent of parties, from the county court, at the appearance term, to the superior court, and such causes, so removed, to stand for trial at the first term of such superior court.

Mr. Dortch moved that the Revised Statutes be made the special order of every day at three o'clock, P. M.; and, on his motion, the rules were suspended, two-thirds of the House voting therefor, and the original motion was then adopted.

On motion by Mr. T. H. Williams, leave was granted him to withdraw from the files the bill to vest in the President and Directors of the Literary Fund the title to certain lands, covered by the navigable waters in the State, in trust, as a public fund for education, and for the benefit of common schools.

On motion by Mr. Baxter, the House now proceeded to the consideration of the unfinished business of Saturday last, being "the bill to incorparate the Greenville and French Broad Railroad Company," and the pending amendment submitted by Mr. Craven, which he withdrew; and Mr. Baxter offered the following:

Strike out the 26th section, from the word "aforesaid" in the line, to the word "Provided" in the 30th line; the same was adopted.

Mr. Baxter submitted the following amendment:

Be it further enacted, That the road hereby authorized shall correspond in gauge with the North Carolina Railroad; and, if the same is constructed, the chartered rights and privileges of the company, in that portion of said road, between the point at which

any connection may hereafter be made by any road from the North Carolina Railroad to said Greenville and French Broad Railroad and the East Tennessee and Virginia Railroad, shall cease and determine, if the General Assembly shall so require, as soon as such connection shall be made. And the same shall be made, and the same shall be subscribed by said company at its prime cost, to the capital stock of the company, authorized to make the connection aforesaid, and shall thereafter constitute a part of the said last mentioned road, and be under the control and direction of said company; and such subscription shall confer on said Greenville and French Broad Railroad Company, or their assigners, all their rights and privileges belonging to other stockholders in the same, when the chartered rights of the said Greenville and French Broad Railroad Company shall be limited to a railroad having for its north-west terminus the aforesaid point of intersection : to which amendment

Mr. Jones offered the following: Strike out of the amendment the words "that the road hereby authorized shall correspond with the gauge of the North Carolina Railroad," which was rejected; yeas 4, nays 103.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Humphrey, McDuffie and Settle-4.

Those who voted in the negative, were,

Messrs. Amis, Badham, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Craven, Daniel, Dargan, Daughtry, Davenport, Dortch, Eure, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Jenkins, Johnson, Jones. Jordan, Lancaster, Hugh Leach, Long, Love, McKesson, McMillan, Mann, March, Martin, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Rand, Regan, Roland, Rose, Russell, Selby, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D.

Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey-103.

Mr. Patterson offered the following amendment to the pending amendment:

Strike out the words, "its prime cost," and insert, "its value at the time of such subscription, to be ascertained in such way as the Legislature may hereafter prescribe;" which was rejected.

Mr. McKesson submitted the following amendment to the pending amendment:

That the western extension of said French Broad Railroad, shall first be constructed, commencing at or near Asheville, or at the Tennessee line, in order to connect first with the western extension of the North Carolina Railroad; which was rejected.

Mr. Barringer submitted the following amendment to the pending amendment:

Provided, That nothing herein contained, shall be so construed as to deprive the General Assembly of this State, of the right of imposing taxes on the dividends and profits accruing from the stock of said company, whenever, in their discretion, it may be deemed necessary or expedient: and

Provided further, That the taxes which may be levied on the same, shall not be greater than that levied on similar property in this State.

Mr. Love moved to strike out the last proviso, which was disagreed to, and the amendment was adopted.

The question now recurring upon the original amendment as amended, the same was adopted.

Mr. Baxter moved that the hour for taking a recess, be postponed until two o'clock; upon which,

Mr. Roland demanded the yeas and nays, which were ordered, and pending the call of the roll, the hour arrived, and the House took a recess.

Three o'clock, P. M.

Mr. Baxter moved that the rules be suspended, and that the bill to incorporate the Greenville and French Broad Railroad Company, be taken up, which was agreed to; two thirds of the House voting therefor.

The bill was accordingly taken up, and Mr. Craven submitted

the amendment heretofore withdrawn by him, and the same was rejected.

Mr. Gorrell moved to lay the bill upon the table.

Which was disagreed to; yeas 20, nays 66.

The yeas and nays demanded by Mr. Gorrell.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Bryson, J. G. Bynum, Craven, Gorrell, Jenkins, J. M. Leach, Mordecai, S. J. Neal, Parks, Patton, Perkins, Rand, Roland, Rose, Sharpe, Smith, Whitaker, L. Whitfield and S. A. Williams—20.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Baxter, Black, Blow, Bryant, J. B. Bynum, D. F. Caldwell, Cansler, Chadwick, Cotten, Daniel, Dargan, Daughtry, Davenport, Eure, Flynt, Furr, Garland, Gentry, G. Green, M. Green, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, McMillan, Mann, March, Martin, Myers, J. W. Neal, Norment, Oglesby, Regan, Russell, Selby, Settle, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Stubbs, Sutton, Thornburg, Watts, Wangh, G. M. White, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, Winston, Wright and Yancey—66.

The question now recurring upon the passage of the bill as amended, its third reading, the same was passed, and ordered to be engrossed; yeas 69, nays 27.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Baxter, Black, Blow, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Cansler, Chadwick, Cotten, Daniel, Dargan, Davenport, Eure, Flynt, Fnrr, Garland, Gentry, G. Green, M. Green, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, McMillan, Mann, Myers, J. W. Neal, Norment, Patterson, Regan, Russell, Selby, Settle, Shaw, Shepherd, Shipp, Singeltary, Smallwood, Stubbs, Sutton, Thornburg, Turner, Vance, Watts, Waugh, G. M. White, J. H. White, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—69.

Those who voted in the negative, were,

Messrs. A. Barnes, Bryson, J. G. Bynum, Craven, Draughtry, Gorrell, J. M. Leach, Love, McDuffie, McKesson, March, Martin, Mordecai, S. J. Neal, Parks, Patton, Perkins, Rand, Roland, Rose, Sharpe, Sherrill, Simmons, Smith, Whitaker, L. Whitfield and N. B. Whitfield—27.

Received from the Senate a message transmitting the following engrossed bills, in which they ask the concurrence of the House, viz:

A bill concerning a seat of Government;

A bill concerning waste;

A bill concerning vice and immorality;

A bill for the better regulation of the poor of Randolph county; A bill to incorporate the Salem and Clemmonsville Plankroad

Company;

A bill to incorporate the Howard's Gap Turnpike company;

A bill to provide for the payment of jurors in the counties of Green and Gates;

A bill for the better regulation of the town of Hillsboro'; and A bill to establish a library of documents for each House of the General Assembly.

The engrossed bill concerning vice and immorality, and

A bill concerning waste, were severally read the first time and passed; and the rule being suspended, the same were read the second and third time, passed, and ordered to be engrossed.

The engrossed bill concerning agriculture and geology, having been heretofore read the third time in this House, was taken up, and Mr. Jenkins moved to amend the same by striking out the 11th, 12th, 13th and 14th sections.

Mr. Roland submitted the following amendment: To strike out "a suitable person," and insert "two suitable persons; one to be assigned to that portion of the State west of the Yadkin river, including the counties through which said river passes, and the other to that portion east of said river, with a salary of two thousand dollars each, to be paid by the public treasurer upon the warrant of the Governor, out of any monies in the treasury not otherwise appropriated."

Which latter amendment was rejected.

Mr. Gorrell offered the following amendment: Insert the words "biennially of" before the word Governor in the 11th section,

and strike out the word "five" and insert "three" in section 13.
Which amendment was rejected.

The question than recurring upon the amendment submitted by Mr. Jenkins, the same was adopted; yeas 69, nays 26.

The yeas and nays demanded by Mr. Love.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bryson, Bullock, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Cofield, Cook, Daniel, Dargan, Daughtry, Davenport, Eure, Flynt, Furr, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Horton, Jarvis, Jenkins, Johnson, Jones, Long, McDuffie, March, Martin, Mebane, Mordecai, Myers, J. W. Neal, Norment, Patterson, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Sharpe, Sherrill, Smallwood, Stubbs, Sutton, Thornburg, Tomlinson, Walser, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, S. A. Williams, Wright and Yancey—69.

Those who voted in the negative, were,

Messrs. Amis, Baxter, Black, Bogle, J. B. Bynum, J. G. Bynum, Gorrell, J. H. Headen, Humphrey, H. Leach, Love, Mc-Kesson, Mann, S. J. Neal, Patton, Shaw, Shepherd, Simmons, Singeltary, Smith, Steele, Turner, Vance, G. M. White, Wilkins and T. H. Williams—26.

On motion by Mr. A. H. Caldwell, the House adjourned to to-morrow morning 10 o'clock.

TUESDAY, JANUARY 16, 1855.

Received from the Senate a message transmitting the pension certificate of Martha Speares, which the House directed to be countersigned by the Speaker.

Also a message informing that Messrs. Coleman, Thomas of Davidson, and Christian, form the Senate branch of the committee on enrolled bills.

The Speaker laid before the House a communication from his Excellency the Governor, transmitting the report and accompanying documents from Wm. J. Clarke, commissioner to settle the account of the State with the Raleigh and Gaston Railroad Company.

On motion by Mr. Barringer, the same was sent to the Senate with a proposition to refer to the joint committee on finance.

Mr. Carmichael presented a petition from citizens of Wilkes county, asking the appointment of certain persons justices of the peace; which, on his motion, was laid upon the table.

Mr. Waugh presented a memorial from citizens of Winston, to incorporate the town of Kinston, in the county of Forsythe, and, on his motion, the same was laid upon the table.

Mr. Holland a memorial on the subject of corporal punishment of insolent, slanderous persons; the same was referred to the committee on the judiciary.

Mr. Amis presented a memorial from citizens of Granville county, on the subject of temperance.

Mr. Geo. Green a like memorial from citizens of Craven county; which were severally referred to the committee on propositions and grievances.

Mr. Myers, from the committee on internal improvement, to whom was referred a bill to incorporate a company, to construct a railroad from some point on the waters of Beaufort Harbour, (to be hereafter determined,) to the town of Fayetteville, reported the same back to the House with sundry amendments, and recommended its passage; and

On motion by Mr. Himphrey, the said bill was made the order of the day for Monday next, at 12 o'clock.

Mr. Steele, from the same committee, to whom was referred a bill to incorporate the Wilmington Savings Bank, reported the same back to the Hosue, and recommended its passage.

Mr. Outlaw, from the same committee, to whom was referred a bill to incorporate the Gold Hill Mining Company, reported the same back to the House, with a substitute therefor, and recommended its passage.

On motion by Mr. Amis,

Ordered, That a message be sent to the Senate, proposing the names of Horace H. Rowland and Lewis H. Kittle, as suitable persons to fill the office of justice of the peace for the county of Granville.

Mr. J. Barnes submitted the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary, be instructed

to enquire into the expediency of passing a law to prevent the great destruction of life and property upon Railroads, by engineers running their trains against each other, and for the punishment of the same, and that the committee report by bill or otherwise.

Mr. Mebane introduced a bill to authorize the State to subscribe stock in the Gulf and Graham Plankroad Company;

Which was read the first time, passed and referred to the committee on internal improvements.

Mr. Long, a bill to amend the charter of the Milton Savings Institute.

Which was read the first time and passed.

Mr. Chadwick, a bill to amend an act entitled an act to enlarge the powers of the commissioners of the town of Newbern, which was read the first time and passed;

And also a bill to prevent the obstruction of the passage of fish in the waters of South River and Adams' Creek, which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. McMillan, a bill to emancipate Margaret and Mary Elizabeth, slaves, which was read the first time, passed, and referred to the committee on private bills.

Mr. Geo. Green, a bill to amend the 36th section of an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, passed at the session of 1852, which was read the first time, passed, and referred to the committee on finance.

Mr. Mordecai a bill to repeal an act passed at the session of 1850-'51, authorizing Josiah O. Watson to construct a dam on Neuse river; which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Gentry a bill to lay off a public road in the county of Ashe; which was read the first time and passed.

Mr. Holland a bill accompanied by a memorial, to establish the Bank of Shelby, in Cleaveland county; which was read the first time, passed, and referred to the committee on banking.

Mr. Cook a bill accompanied by a memorial, to alter the county line between Ashe and Surry counties.

The same was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. S. A. Williams moved that the House go into committee of the whole, to consider bills to recharter and establish banks.

On motion by Mr. Lyon, the motion to go into committee of the whole was laid upon the table.

A bill to hold court two weeks in New Hanover county, was read the second time, and the amendment reported by the committee on the judiciary, to strike out the 3d section, was adopted; yeas 61, nays 43.

The yeas and nays demanded by Mr. T. H. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, Barringer, Blow, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Chadwick, Cook, Daniel, Dargan, Daughtry, Davenport, Dortch, Eure, Flynt, Furr, Gorrell, Harrison, A. D. Headen, J. H. Headen, Hill, Horton, Jenkins, Johnson, J. M. Leach, Long, Love, Lyon, McKesson, Mann, March, Martin, Myers, J. W. Neal, S. J. Neal, Norment, Patterson, Rand, Regan, Roland, Settle, Simmons, Smallwood, Steele, Thornburg, Tomlinson, Turner, Walser, Waugh, J. H. White, L. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, Wright and Yancey—61.

Those who voted in the negative, were,

Messrs. J. Barnes, Baxter, Bogle, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Cofield, Craven, Garland, Gentry, Gilliam, G. Green, M. Green, Jarvis, Jones, Jordan, Lancaster, H. Leach, McDuffie, McMillan, Meares, Mebane, Oglesby, Outlaw, Parks, Patton, Rose, Russell, Selby, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Smith, Sutton, Whitaker, G. M. White, N. B. Whitfield, T. H. Williams and Winston—43.

The question then recurring upon the passage of the bill as amended; the same was read the second time and rejected.

Mr. Barringer moved to reconsider the vote by which the bill to hold court two weeks in New Hanover county, was rejected; and on motion by Mr. T. H. Williams, the motion to reconsider was laid upon the table.

A resolution in favor of H. S. Smith was read the second time, and the substitute reported by the committee was adopted, and the same passed its second reading.

The rule being suspended, the resolution was read the third time, passed and ordered to be engrossed.

A bill to amend the charter of the town of Henderson, in the county of Granville, was read the second time, and

On motion by Mr. Amis, laid upon the table.

A bill to incorporate the town of Warsaw;

A bill to incorporate the Grand Royal Arch Chapter of North Carolina of Free and Accepted Masons;

A bill concerning fishing in Tar and Pamlico rivers; and

A bill for the protection of Sheep; were severally read the second time, passed, and the rule being suspended, they were read the third time, passed and ordered to be engrossed.

The engrossed bill to authorize the Raleigh and Gaston Railroad Company, to take stock in the Roanoke Valley Company, and

The engrossed bill to amend an act entitled an act to incorporate the Neuse River Manufacturing Company, at the Great Falls of Neuse, in the county of Wake, were severally read the first time and passed; the rule being suspended, they were read the second and third time, passed, and were ordered to be enrolled.

A bill to amend an act ratified on the 29th of January, 1849, entitled an act to establish the Bank of Fayetteville, was read the second time, and

On motion by Mr. Singeltary, the same was referred to the committee of the whole House.

The engrossed bill to amend an act entitled an act to incorporate the trustees of Davidson College, passed at the session of 1838-'9, having been heretofore read the second time, was taken up and passed its second reading; the same was read the third time, and

On motion by Mr. J. H. White, indefinitely postponed.

A bill to prohibit the sale of spirituous liquors to free persons of color, was read the second time, and the substitute reported by the committee on the judiciary, adopted and passed; the rule being suspended, the same was read the third time, and Mr. Smith submitted the following amendment: insert in the 6th line after the word "gift," "for the purpose of evading the provisions of this act;" which was adopted.

The hour having now arrived under the rule, the House took a recess.

Three o'clock, P. M.

The engrossed bill concerning agriculture and geology, which was under consideration when the House adjourned the evening session on yesterday, was taken up, and

On motion by Mr. A. H. Caldwell, made the special order for to-morrow at 4 o'clock, P. M.

The Speaker laid before the House messages from the Senate, transmitting the following engrossed bills, in which they ask the concurrence of the House:

A bill concerning frauds and fraudulent conveyances;

A bill concerning legacies;

A bill concerning names;

A bill concerning mines;

A bill concerning offices;

A bill concerning oysters and other fish;

A bill concerning notaries;

A bill concerning mad dogs;

A bill concerning members of Congress;

A bill concerning overseers;

A bill concerning landlord and tenant;

A bill concerning literary fund and common schools.

A bill concerning marriage;

A bill concerning slander of women ;

A bill concerning money in the hands of clerks;

A bill concerning public documents;

A bill concerning public printing;

A bill concerning mills and millers;

A bill concerning public debt;

A bill concerning surety and principal;

A bill concerning seamen;

A bill concerning weights and measures;

A bill concerning usury;

A bill concerning the poor;

A bill concerning public library;

A bill concerning ordinaries and inns;

A bill concerning prisoners;

A bill concerning patrol;

A bill concerning strays;

A bill concerning rivers and creeks;

A bill concerning public arms;

A bill concerning pensions; and

A bill concerning official bonds.

The following engrossed bills were severally read the first time and passed; and the rule being suspended, they were read the second and third time, passed, and ordered to be enrolled:

A bill concerning seat of government;

A bill concerning landlord and tenant;

A bill concerning members of Congress;

A bill concerning overseers;

A bill concerning mad dogs;

A bill concerning notaries;

A bill concerning oysters and other fish;

A bill concerning offices;

A bill concerning names;

A bill concerning legacies;

A bill concerning frauds and fraudulent conveyances;

A bill concerning slander of women;

A bill concerning marriage;

A bill concerning money remaining in the hands of clerks and others;

A bill concerning public documents;

A bill concerning public debt;

A bill concerning weights and measures;

A bill concerning surety and principal; and

A bill concerning official bonds.

A bill concerning the literary fund and common schools, was read the first time and passed.

The rules being suspended, the same was read the second time.

A bill concerning mills and millers, was read the first time and passed.

The rule being suspended, the same was read the second time, and

Mr. Gorrell submitted the following amendment to section 2d:

"And provided further, That when the run or stream shall be the boundary line between two counties, the petition shall be filed in the superior court of the county in which the petitioner resides,"

Which amendment was adopted, and the bill as amended, passed its second reading.

The rule being suspended, the bill was read the third time and passed.

And a message sent to the Senate, asking their concurrence in the aamendment.

The engrossed bill concerning public printing was read the first time and passed.

The engrossed bill concerning usury, was read the first time.

A bill concerning seamen was read the first time and passed;

And the rule being suspended, the same was read the second time.

A bill concerning mines, was read the first time and passed.

The rule being suspended, the same was read the second time, and

Mr. J. G. Bynum moved to amend the bill by striking out the 1st, 2d, 3d and 4th sections.

Which amendment was adopted.

The bill as amended passed its second reading.

The rule being suspended, the bill was read the third time and passed;

And a message sent to the Senate, asking their concurrence in the amendment.

On motion by Mr. N. B. Whitfield, the House adjourned to to-morrow morning, 10 o'clock.

WEDNESDAY, JANUARY 17, 1855.

The Speaker laid before the House a communication from his Excellency, the Governor, transmitting sundry resignations of justices of the peace.

On motion by Mr. T. H. Williams, the same were sent to the Senate.

Mr. Long presented a memorial from citizens of Caswell, on the subject of temperance; and

Mr. A. H. Caldwell, a memorial from citizens of Rowan county, to open a public road in said county;

The same were referred to the committee on propositions and grievances.

Mr. Steele, from the committee on banks and banking, report-

ed back to the House the "bill to incorporate the bank of Salisbury," with sundry amendments; and unfavorably the "bill to authorize the business of banking;" which reports were received, and the bills referred to the committee of the whole House.

Mr. Myers, from the same committee, reported unfavorably the "bill to establish the bank of Shelby;" the report was received, and the bill referred to the committee of the whole House.

Mr. Singeltary, from the same committee, reported unfavorably "the bill to incorporate a bank in the town of Salem;" and "the bill to establish the bank of Halifax;" which reports were received, and the bills referred to the committee of the whole House.

Mr. J. G. Bynum, from the committee on the judiciary, reported back to the House the resolution instructing them to inquire into the expediency of allowing justices of the peace, for taking depositions, compensation, accompanied by a bill for that purpose, which was read the first time and passed.

Mr. Gorrell, from the same committee, to whom was referred a bill concerning executors and administrators, reported the same back to the House, with a substitute, which was read the first

time and passed.

Mr. Dortch, from the same committee, reported favorably the

bill concerning crimes and punishments.

Mr. Dortch, from the same committee, to whom was referred a resolution instructing them to inquire into the propriety of facilitating the means of taking the private examination of femes covert; also, a memorial from citizens of Cleaveland county, praying the alteration of the law of slander; also, a memorial praying for a mechanic's lien law, and a memorial from the grand jury of Cleaveland county, praying an alteration of the judicial circuit; reported the same back to the House, and asked to be discharged from their further consideration, which was concurred in.

Mr. Dortch, from the committee on the revisal of the Statutes, reported back to the House the engrossed bill concerning evidence, and the pending amendment, and recommended the adoption of the same; and unfavorably a bill to amend the law as to taking the depositions of witnesses in cases of appeals, which latter bill was laid upon the table.

Mr. Dortch, from the same committee, reported back the resolution instructing them to inquire into the propriety of providing

by a rule of court, that issues of devisavit vel non shall be tried first in order of suits on docket, and asked to be discharged from the further consideration thereof.

Mr. Norment, from the committee on corporations, to whom was referred a bill to incorporate the Newbern and Neuse River Bridge Company, reported the same back to the House, and recommended its passage.

Mr. Waugh, from the committee on propositions and grievances, reported unfavorably a memorial from citizens of Hertford county praying the re-enactment of an act passed in 1848-'9;

Also, a memorial from citizens of Wilkes county in favor of Solomon Lyon;

Also, the bill and memorial to alter the county line between Caldwell and Watauga counties; and

Also, a bill to alter the county line between Ashe and Surry counties: and reported favorably a bill to repeal an act passed at the session of 1850-251, authorizing Josiah O. Watson to construct a dam on Neuse river;

Also, a bill to repeal so much concerning public roads as requires persons of eighteen years of age to work on them, and for other purposes; and

A bill to prevent the obstruction of the passage of fish in the waters of South River and Adams' creek.

Mr. Settle, from the committee on claims, reported favorably upon the following resolutions:

A resolution in favor of J. M. Carroll;

A resolution in favor of Bartlet Upchurch;

A resolution in favor of C. C. Stone;

A resolution in favor of Neal M. Colvard;

A resolution in favor of A. H. Saunders; and

A resolution in favor of W. A. Winborn, with an amendment: and unfavorably upon

A resolution in favor of J. A. Robertson;

A resolution in favor of Ephraim and T. Osborn; and

A resolution in favor of John Payne.

Mr. Lancaster, from the committee on private bills, reported favorably a bill to confirm a grant in favor of Richard S. Hall, and unfavorably a bill in favor of E. C. Bartlet, late sheriff of Ashe county.

Mr. Dargan, from the committee on military affairs, reported back a bill to repeal an act passed in 1848-'9, exempting certain persons from military duties, with an amendment, and recommended the passage of the same; and unfavorably, the bill to abolish the military system.

Mr. T. H. Williams, from the joint select committee, to whom was referred the memorial from the citizens of Wilmington, asking an appropriation to aid the Seaman's Friend Society of Wilmington, made a report in favor of the same accompanied by a resolution; and

On motion by Mr. Barringer, the same was ordered to be printed.

On motion by Mr. Love, the special order of the day being the bill to incorporate the Western Railroad Company, was postponed, and made the special order for Tuesday next, at 12 o'clock.

Mr. Leach moved to suspend the rule, to take up the bill to amend an act entitled an act, to incorporate the Atlantic and North Carolina Railroad Company.

On motion by Mr. Singeltary, the motion to suspend was laid upon the table.

Mr. Jones submitted the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to enquire into the propriety of passing an act requiring the chairman of each county court in this State, to furnish the secretary of State, with the exact boundary of his county, hereafter, for the use and benefit of the Legislature of North Carolina.

Mr. G. M. White presented the following resolution, which was read and adopted:

Resolved, That the committee on the revisal of the Statutes, be instructed to enquire into the propriety of so altering the law relating to principal and sureties, as to prevent a creditor from taking judgment against one of several solvent sureties at his pleasure.

Mr. S. A. Williams submitted the following resolution, which was indefinitely postponed:

Resolved, That from and after Monday next, no member of the House shall occupy more than fifteen minutes in debating any one question.

Mr. Singeltary submitted the following resolution, which was read and adopted:

Resolved, That the committee on corporations prepare and report to the House, a general act of incorporation for towns and villages in this State.

Mr. Roland introduced a bill to incorporate the Valley River Mining Company, in the county of Cherokee;

Which was read the first time, passed and referred to the committee on corporations.

Mr. Rand, a bill to incorporate the Springfield Institute, in Wake county.

The same was read the first time and passed.

Mr. J. G. Bynum, a bill concerning the supreme court.

The same was read the first time and passed.

Mr. Gilliam, a bill to increase the pay of jurors and witnesses of Washington county.

The same was read the first time and passed.

Mr. Cansler, a bill to amend an act entitled an act, to provide for the better government of the town of Lincolnton, and to amend the existing laws of said town.

The same was read the first time and passed.

Mr. G. M. White, a bill for the better regulation of the town of Elizabethtown; which was read the first time and passed.

Mr. Sutton, a bill to incorporate the Lenoir and Duplin Plankroad Company; which was read the first time, passed, and referred to the committee on corporations.

Mr. Carmichael, a bill to incorporate the Yadkin Lodge of Free Masons, in the town of Yadkin; the same was read the first time and passed.

Mr. Shaw, a bill to amend an act incorporating the town of Clinton; the same was read the first time and passed.

The rule being suspended, it was read the second and third time, passed, and ordered to be engrossed.

Mr. T. H. Williams moved to take from the table the motion made by Mr. Barringer on yesterday, to reconsider the vote by which the bill to hold court two weeks in New Hanover county was rejected; which was agreed to, and the motion to reconsider was then taken up and carried; and the said bill having been read the second time,

Mr. J. G. Bynum submitted the following amendment, (to come in place section third:)

Be it further enacted, That the 2d section of the 38th chapter of the General Assembly, passed at the session of 1852, be, and the same is hereby repealed.

Which amendment was adopted, and the bill as amended, passed its second reading.

The rule being suspended, the bill was read the third time, passed, and ordered to be engrossed.

The House now proceeded to the consideration of the unfinished business of yesterday, being

A bill to prohibit the sale of spirituous liquors, &c., to free persons of color; the same having heretofore been read the third time.

Mr. Norment moved to strike out all after the enacting clause and insert.

Mr. Rand submitted an amendment to the amendment, and On motion by Mr. Jones, the amendment was laid upon the table; yeas 67, nays 46.

The yeas and nays demanded by Mr. S A. Williams.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Baxter, Black, Blow, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Cotten, Craven, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gilliam, Gorrell, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Horton, Jarvis, Johnson, Jones, Lancaster, J. M. Leach, Long, Love, McKesson, March, Meares, J. W. Neal, S. J. Neal, Oglesby, Parks, Patton, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Sharpe, Shipp, Singeltary, Stubbs, Thornburg, Vance, Waugh, N. B. Whitfield, C. W. Williams, D. Williams, T. H. Williams, Wright and Yancey—67.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Bogle, Bryant, Bullock, J. B. Bynum, Cofield, Dortch, Eure, Holland, Humphrey, Jenkins, Jordan, H. Leach, Lyon, McDuffie, McMillan, Mann, Martin, Mebane, Whitaker, G. M. White, J. H. White, L. Whitfield, Whitlock, B. F. Williams, S. A. Williams and Winston—46.

The House now took a recess.

Three o'clock, P. M.

The Speaker laid before the House a message from the Senate, transmitting the following engrossed bills, in which they ask the concurrence of the House:

A bill concerning wrecks;

A bill concerning quo warranto and mandamus; and

A bill concerning replevin.

Also, a message informing the House that they have passed the engrossed bill to prevent the felling and putting timbers in the Haw river and the Great Alamance river, in the county of Alamance, with an amendment striking out the second section.

The House concurred in the amendment, and informed the Senate thereof by message.

Also, a message transmitting recommendations for justices of the peace for the county of Camden, which were concurred in.

The following engrossed bills were read the first time and passed; the rule being suspended, they were severally read the second and third time and passed, and ordered to be enrolled:

A bill concerning the poor;

A bill concerning the public library;

A bill concerning ordinaries and inns;

A bill concerning prisoners;

A bill concerning strays;

A bill concerning patrol;

A bill concerning rivers and creeks;

A bill concerning wrecks;

A bill concerning pensioners;

A bill concerning public arms;

A bill concerning quo warranto and mandamus; and

A bill concerning replevin.

The engrossed bill concerning usury was read the second time, and on motion by Mr. Shepherd, laid upon the table.

Received from the Senate a message informing the House that the Senate refused to agree to the amendment proposed by the House to the engrossed bill concerning criminal proceedings.

The House insists upon its amendment, and the Senate informed thereof by message.

The engrossed bill concerning agriculture and geology was now taken up, and passed as amended its third reading; and

On motion by Mr. Jenkins, the title of the bill was amended by striking out "and geology," and the Senate was informed thereof by message, and their concurrence asked.

On motion by Mr. Singeltary, the House adjourned to to-mor-

row morning, 10 o'clock.

.THURSDAY, JANUARY 18, 1855.

Mr. Vance presented a memorial from citizens of Buncombe county, to exempt certain persons from working on the Greenville Plankroad;

Mr. Horton, a memorial from citizens of Watauga county for a public road;

Mr. Smith, a memorial from citizens of Halifax county, praying for an appropriation for the improvement of Roanoke river;

Mr. Winston, a memorial on the same subject from citizens of Bertie county; which were severally referred to the committee on internal improvements.

Mr. Outlaw, from the committee on corporations, to whom was referred a bill to incorporate the Statesville and Wilkesboro' Plankroad company, reported the same back to the House, and recommended its passage.

Mr. Myers, from the committee on Banks, to whom was referred a bill to incorporate the Farmers' and Miners' Bank, to be located in the town of Murphy, in the county of Cherokee, reported the same back to the House, and recommended that it do not pass.

On motion by Mr. Roland, the bill was referred to the committee of the whole House.

Mr. Dargan, from the committee on military affairs, to whom was referred a bill to create a scientific and military school and a State arsenal in this State, reported the same back to the House with sundry amendments, and recommended its passage.

Mr. Dortch, from the committee on the revisal of the Statutes, reported unfavorably upon the following bills:

A bill in relation to county courts; also,

A bill to authorize discoveries in courts of law in certain cases; and

A bill to render the writ of trespass on the case applicable to all cases where trespass vi et armis may now be used.

Mr. Dortch, from the same committee, reported back to the House the resolution instructing them to inquire into the propriety of so altering the law relating to principal and surety, as to prevent a creditor from taking judgment against one of several sureties at his pleasure, and asked to be discharged from its further consideration; which report was concurred in.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill to repeal in part the 1st section of 9th chapter of the Revised Statutes to encourage direct importation, reported the same back to the House with a substitute; which was read the first time and passed.

Mr. Dortch, from the same committee, reported unfavorably upon the following bills:

A bill concerning trials in capital cases;

A bill for the better administration of justice in the courts of pleas and quarter sessions of this State; and

A bill to punish placing obstructions on railroads, and for other purposes.

Mr. Dortch, from the same committee, reported back to the House a resolution, instructing them to enquire into the expediency of preventing the fictious endorsement of bills, bonds &c.

Also, a resolution instructing them to enquire into the propriety of providing for the removal of causes from the county to the superior courts, in certain cases.

Also, a resolution in relation to deeds of trust; and

Also, a resolution, and memorial in relation to requiring retailers of spirituous liquors, to take an oath that they will not violate the law, &c., and asked to be discharged from the further consideration of the same.

Mr. Cansler, from the committee on internal improvements, to whom was referred a bill to complete the Turnpike Road from the head of Pungo River, to the Plymouth and Longacre Road; and

A bill for the draining of Mattamuskeet Lake, reported the same back to the House and recommended their rejection.

Mr. Mebane introduced a bill for the completion of the North Carolina Railroad.

The same was read the first time and passed.

Mr. Badham submitted the following resolutions:

WHEREAS, It is believed that an order commonly called "know

nothings," exists in the State of North Carolina, secret in its organization, and political in its designs; be it therefore,

Resolved, That the secrecy with which said order clothes its proceedings and purposes, is anti-republican, and dangerous in its tendencies.

The same was read, and Mr. Outlaw moved to lay it upon the table.

Which was carried; yeas 59, nays 48.

Yeas and nays demanded by Mr. Badham.

Those who voted in the affirmative, were,

Messrs. Amis, Baxter, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Cook, Cotten, Craven, Daniel, Dargan, Davenport, Eure, Furr, Gilliam, Gorrell, G. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Horton, Humphrey, Johnson, Jones, Jordan, H. Leach, J. M. Leach, Love, McDuffie, McKesson, McMillan, March, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Walser, Wilkins, B. F. Williams, S. A. Williams, T. H. Williams and Winston—59.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Chadwick, Cofield, Daughtry, Dortch, Dunn, Flynt, M. Green, Hill, Holland, Jarvis, Jenkins, Lancaster, Long, Lyon, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Rose, Settle, Shaw, Sherrill, Singeltary, Smallwood, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, Wright and Yancey—48.

Mr. Love submitted the following resolutions:

Resolved, As the opinion of this General Assembly, that the acts of Congress of the United States, respecting the naturalization of foreigners, ought to be so amended as to require a longer residence before said foreigners shall become entitled to all the rights and privileges of native citizens of the United States.

Resolved further, That copies of the foregoing resolution be transmitted to our Senators and Representatives in Congress, by the Governor of this State; the same was read, and

On motion by Mr. Singeltary, it was laid upon the table; yeas 75, nays 35.

The yeas and nays demanded by Mr. Love.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Baxter, Blow, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Cotten, Daughtry, Dortch, Dunn, Flynt, Furr, M. Green, Harrison, A. D. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, McDuffie, McMillan, Meares, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Phillips, Rand, Rose, Russell, Selby, Settle, Shaw, Stubbs, Sutton, Tomlinson, Turner, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—75.

Those who voted in the negative, were,

Messrs. Bogle, J. G. Bynum, D. F. Caldwell, Chadwick, Cook, Craven, Daniel, Dargan, Davenport, Eure, Gilliam, Gorrell, G. Green, Grist, J. H. Headen, Horton, Johnson, J. M. Leach, Love, McKesson, March, Mordecai, Patterson, Patton, Perkins, Roland, Sharpe, Shipp, Simmons, Smith, Thornburg, Vance, Walser, B. F. Williams and Winston—35.

Mr. Roland introduced a resolution in relation to Jacob Siler, agent of the State for the collection of Cherokee bonds.

The same was read the first time, passed, and referred to the committee on claims.

Mr. Hill introduced a bill to incorporate the Stokes Iron Mining Company.

The same was read the first time, passed, and referred to the committee on corporations.

Mr. Gorrell, a bill to amend an act passed in the year 1836, entitled an act to incorporate the town of Greensboro', in the county of Guilford.

The same was read the first time, passed, and referred to the committee on private bills.

Mr. Jenkins, a bill more effectually to prevent the sale of spirituous liquors to slaves.

'The same was read the first time and passed.

Mr. S. A. Williams moved that said bills be printed; which was disagreed to.

Mr. Sharpe, a bill for the relief of citizens of Iredell county; Which was read the first time and passed.

Mr. Meares, a bill for the better regulation of the town of Smithville;

Which was read the first time, passed and referred to the committee on corporations.

Mr. Bogle moved to take up the bill to amend an act entitled an act, to incorporate the Atlantic and North Carolina Railroad Company, and make it the special order of the day for to-morrow, at 12 o'clock.

Mr. Singeltary moved to amend the motion by striking out "said bill" and insert "the bill for draining swamp lands in Pitt county."

Mr. J. W. Neal moved to amend by substituting "the bill to increase the revenue of the State," and subsequently withdrew his motion, and the same was renewed by Mr. Phillips.

The question being taken upon Mr. Singeltary's amendment to strike out and insert, it was rejected; yeas 45, nays 64.

The yeas and nays were demanded by Mr. B. F. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Blow, Bryson, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Daughtry, Dunn, Flynt, Garland, Gentry, M. Green, Hill, Jarvis, Jenkins, Jones, Jordan, Long, McDuffie, McMillan, Meares, Myets, J. W. Neal, Rand, Selby, Settle, Shaw, Sherrill, Singeltary, Smallwood, Tomlinson, Watts, Waugh, Whitaker, J. H. White, Whitlock, C. W. Williams, D. Williams, T. H. Williams, Wright and Yancey—45.

Those who voted in the negative, were,

Messrs. Baxter, Bogle, Bryant, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Cotten, Craven, Daniel, Dargan, Dortch, Furr, Gilliam, Gorrell, G. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Holland, Horton, Humphrey, Johnson, Lancaster, H. Leach, J. M. Leach, Love, Lyon, Mc-Kesson, March, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Patton, Perkins, Phillips, Regan, Roland, Russell, Sharpe, Shepherd, Shipp, Simmons, Smith, Steele,

Stubbs, Sutton, Thornburg, Turner, Vance, Walser, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, S. A. Willaims and Winston—64.

Mr. Winston offered the following resolution as a substitute for the whole:

Resolved, That this House will not proceed to the passage of any appropriation bill, except that to complete the Central Railroad, until the revenue bill is disposed of in this House.

On motion by Mr. J. G. Bynum, the whole matter was laid upon the table.

Mr. Outlaw submitted the following resolution, which was read and adopted:

Resolved, That all motions in relation to the order in which business shall be taken up and disposed of, shall be decided without debate.

The House now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The Speaker laid before the House a communication from the public treasurer, in compliance with a resolution of this House, transmitting a statement of the items of expense of the literary board for the past year.

On motion by Mr. S. A. Williams, the same was ordered to be printed.

The engrossed bill from the Senate concerning usury, was taken from the table; the same having been before read in this House the second time, Mr. Shepherd submitted the following amendment: insert in line 7, "only as to the interest so taken or reserved;" strike out all after the 7th line, ending with the words of the first amendment.

Mr. Outlaw submitted the following amendment: Strike out all after the word "shall" in the 10th line, and insert "be indictable in either the county or superior courts, and upon conviction, shall be fined and imprisoned at the discretion of the court;" which latter amendment was adopted; yeas 53, nays 50.

The yeas and nays demanded by Mr. Smith,

Those who voted in the affirmative, were,

Messrs. A. Barnes, Baxter, Blow, Bogle, Bryant, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Cook.

Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Gorrell, Grist, Harrison, A. D. Headen, Hill, Horton, Johnson, Jones, J. M. Leach, Lyon, McKesson, March, Mebane, Mordecai, S. J. Neal, Outlaw, Patton, Perkins, Phillips, Selby, Sharpe, Shipp, Simmons, Smallwood, Smith, Sutton, Thornburg, Vance, Walser, J. H. White, L. Whitfield, Whitlock, S. A. Williams, Winston and Yancey—53.

Those who voted in the negative, were,

Messrs. Amis, Badham, J. Barnes, Black, Bryson, Chadwick, Cofield, Dortch, Daughtry, Garland, G. Green, M. Green, J. H. Headen, Holland, Humphrey, Jarvis, Jenkins, Lancaster, H. Leach, Long, McDuffie, McMillan, Martin, Meares, Myers, J. W. Neal, Norment, Oglesby, Patterson, Rand, Regan, Roland, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Singeltary, Steele, Tomlinson, Waugh, Whitaker, G. M. White, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams and Wright—50.

Mr. Shepherd now withdrew the amendments submitted by him, and Mr. Martin offered the following:

Resolved, That the law upon usury be and the same is hereby repealed.

Which was rejected.

Mr. Singeltary moved to amend the bill by striking out all after the word "void," which was rejected; yeas 21, nays 77.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Dortch, Dunn, Jenkins, Long, Mc-Duffie, McMillan, Martin, Meares, J. W. Neal, Norment, Patterson, Settle, Shepherd, Singeltary, Steele, Whitaker, G. M. White, B. F. Williams and C. W. Williams—21.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Blow, Bogle, Bryant, Bryson, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gorrell, G. Green, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Johnson, Lancaster, Hugh Leach, J. M. Leach, Love, Lyon, McKesson, March, Mebane, Mordecai, S. J. Neal, Outlaw, Patton, Perkins, Phillips, Rand,

Regan, Roland, Rose, Russell, Selby, Sharpe, Shaw, Sherrill, Shipp, Simmons, Smallwood, Smith, Sutton, Thornburg, Tomlinson, Walser, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, D. Williams, S. A. Williams, Winston, Wright and Yancey—77.

The bill as amended, now passed its second reading; the rule being suspended, the same was read the third time.

Mr. Mebane moved to amend by striking out the word "and" in the amendment before adopted, and insert "or."

Mr. Dortch moved to amend by striking out the whole of said amendment.

The question being first taken upon the latter amendment, it was rejected; yeas 38, nays 62.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Bryant, Bryson. Cofield, Dortch, Dunn, Garland, M. Green, J. H. Headen, Humphrey, Jarvis, Lyon, McDuffie, McMillan, Martin, Myers, J. W. Neal, Norment, Patterson, Rand, Regan, Roland, Selby, Settle, Shepherd, Sherrill, Singeltary, Steele, Tomlinson, Waugh, Whitaker, G. M. White, Wilkins, B. F. Williams and D. Williams—38.

Those who voted in the negative, were,

Messrs. Baxter, Black, Blow, Bogle, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Gorrell, G. Green, A. D. Headen, Hill, Holland, Horton, Jenkins, Johnson, Jones, H. Leach, J. M. Leach, Long, Love, McKesson, March', Mebane, Mordecai, S. J. Neal, Meares, Outlaw, Patton, Perkins, Phillips, Rose, Russell, Sharpe, Shaw, Shipp, Simmons, Smallwood, Smith, Stubbs, Sutton, Thornburg, Walser, J.-H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, S. A. Williams, Winston, Wright and Yancey—62.

Mr. Bryson moved to amend by striking out the words "and imprisoned," and subsequently withdrew it.

The question now recurring upon the amendment submitted by Mr. Mebane, it was adopted; yeas 59, nays 38.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Black, Blow, Bogle, Bryant, Bryson, Carmichael, Chadwick, Cofield, Craven, Dunn, Garland, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Humphrey, Jenkins, Johnson, J. M. Leach, Long, Lyon, McDuffie, March, Martin, Mebane, Mordecai, Myers, J. W. Neal, Norment, Patterson, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Sherrill, Shipp, Simmons, Steele, Stubbs, Thornburg, Tomlinson, Walser, Waugh, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, S. A. Williams and Yancey—59.

Those who voted in the negative, were,

Messrs. Amis, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Cook, Daniel, Dargan, Daughtry, Davenport, Dortch, Flynt, Furr, Holland, Horton, Jarvis, Jones, H. Leach, Love, McKesson, McMillan, Meares, S. J. Neal, Oglesby, Outlaw, Patton, Perkins, Sharpe, Shepherd, Singeltary, Smallwood, Smith, Sutton, Whitaker, J. H. White, Whitlock, C. W. Williams, and Wright—38.

Mr. J. G. Bynum moved to amend the bill, by inserting after the word "imprisoned," "or both;" pending the consideration of which,

On motion by Mr. J. H. Headen, the House adjourned to tomorrow morning 10 o'clock.

FRIDAY, JANUARY 19, 1855.

Mr. Steele, from the committee on corporations, to whom was referred a bill to incorporate the Lenoir and Duplin Plankroad Company, reported the same back to the House, and recommend its passage.

Mr. J. M. Leach, from the committee on internal improvement to whom was referred a bill to amend and continue in force an act entitled an act to incorporate the Yadkin Navigation Company, chapter 65, statute 1850-'51, and to authorize subscription of stock on the part of the State, reported the same back to the House, and recommended its passage.

Mr. Love submitted the following resolution, which was read and adopted:

Resolved, That the joint select committee on Cherokee Lands

and the Western Turnpike Road, inquire into the expediency of amending the act of 1848, entitled an act to provide for a turnpike road from Salisbury west to the line of the State of Georgia, so as to provide for the keeping up of said road, legalizing the location thereof, and the appointment of toll gatherers, &c., and that they report by bill or otherwise.

Mr. Horton presented a petition for the appointment of certain persons justices of the peace for Watauga county, which was, on

motion of Mr. Bogle, laid upon the table.

The speaker announced that the special order of the day for yesterday, having been superseded by other business, would now be taken up, being the resolutions heretofore introduced by Mr. Settle.

The resolutions were accordingly read, and Mr. J. M. Leach submitted the following amendment:

"Provided, That nothing contained in the foregoing resolution shall be construed into an approval of the new, odious and abominable doctrine of squatter sovereignty, the doctrine of allowing unnaturalized foreigners a voice in framing the organic law of a Territory, by which Southern men and slaveholders may be excluded from said Territory: And provided further, That nothing contained in said resolution shall be construed into a disapproval of the Clayton amendment, sought to be engrafted upon said act by a large majority of Southern members of Congress, for the protection of the Southern States of this Union: (to come in immediately after the first resolution.)

Mr. Outlaw moved to lay the resolutions and amendment upon the table; which motion was lost, yeas 50, nays 56.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messis. Amis, Baxter, Blow, Bogle, Bryson, J. G. Bynum, Carmichael, Chadwick, Cook, Cotten, Craven, Daniel, Dargan, Davenport, Furr, Gorrell, G. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Horton, Johnson, Jones, J. M. Leach, McKesson, Mann, March, Mebane, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Stubbs, Thornburg, Turner, Vance, Walser, Wilkins, B. F. Williams and Yancey—50.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Bullock, J. B. Bynum, Cofield, Daughtry, Dortch, Dunn, Flynt, Garland, M. Green, Hill, Holland, Humphrey, Jarvis, Jenkins, Lancaster, H. Leach, Long, Love, McDuffie, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Steele, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams and Wright —56.

Mr. Baxter submitted the following amendment to the pending amendment: Strike out the words "new, odious and abominable," which was accepted.

Mr. Singeltary submitted the following amendment to the pending amendment:

Provided further, That we heartily approve the course of the Senator and Representatives from this State who supported said bill as it was finally passed.

Mr. D. F. Caldwell moved to lay the whole matter upon the table, which motion was lost, yeas 49, nays 59.

The yeas and nays demanded by Mr. Humphrey.

Those who voted in the affirmative, were,

Messrs. Amis, Baxter, Blow, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Cotten, Craven, Daniel, Davenport, Eure, Furr, Gorrell, G. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Horton, Jarvis, Johnson, Jones, H. Leach, McKesson, Mann, March, Mebane, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Simmons, Smith, Stubbs, Thornburg, Turner, Vance, Walser, Wilkins and B. F. Williams—49.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Bullock, J. B. Bynum, Cansler, Cofield, Daughtry, Dunn, Flynt, Garland, Gentry, M. Green, Hill, Holland, Humphrey, Jenkins, Jordan, Lancaster, J. M. Leach, Long, Love, Lyon, McDuffie, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Steele, Sutton, Tomlinson,

Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—59.

The question now recurring upon the amendment submitted by Mr. Singeltary, it was adopted, yeas 72, nays 34.

The yeas and nays demanded by Mr. J. M. Leach.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes. J. Barnes, Black, Blow, Bryson, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Cofield, Cotten, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, G. Green, M. Green, A. D. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, H. Leach, Long, Lyon, McDuffie, McKesson, McMillan, Mann, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Outlaw, Rand, Regan, Roland, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Smith, Steele, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—72.

Those who voted in the negative, were,

Messrs. Amis, Baxter, Bogle, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Eure, Furr, Gorrell, Grist, Harrison, J. H. Headen, Horton, Johnson, J. M. Leach, March, Mebane, S. J. Neal, Patterson, Patton, Phillips, Russell, Sharpe, Shipp, Stubbs, Thornburg, Turner, Vance, Walser, Wilkins and B. F. Williams—34.

Mr. Singeltary now moved to lay the resolutions upon the table, which was carried, yeas 74, nays 35.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Blow, Bryson, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Cofield, Cotten, Craven, Dargan, Daughtry, Davenport, Dortch, Flynt, Furr, Garland, Gentry, Grist, A. D. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Johnson, Jones, Jordan, Lancaster, Long, Love, Lyon, McDuffie, McKesson, McMillan, Mann, Martin, Meares, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Shaw, Shepherd, Shipp, Singeltary, Smallwood, Smith, Stubbs, Sutton,

Thornburg, Watts, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, D. Williams, Wright and Yancey—74.

Those who voted in the negative, were,

Messrs. Amis, Bogle, Bullock, J. B. Bynum, Chadwick, Cook, Daniel, Dunn, Eure, Gorrell, G. Green, M. Green, Harrison, J. H. Headen, Jenkins, H. Leach, J. M. Leach, March, Mordecai, Myers, J. W. Neal, Patton, Selby, Settle, Sharpe, Sherrill, Simmons, Steele, Turner, Vance, Walser, G. M. White, J. H. White, Wilkins and S. A. Williams—35.

Mr. Baxter moved to take up the bill to amend an act, entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company.

Mr. Singeltary moved to amend the motion by substituting the bill to increase the revenue of the State.

Which motion was carried, and the bill was accordingly taken up and read the second time, and

On motion by Mr. Smith, the further consideration of the same was postponed, and made the special order of the day for Wednesday next at 11 o'clock, and from day to day until finally disposed of.

Mr. Carmichael moved to take up the bill to amend an act, entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company; which was carried, yeas 62, nays 46.

The yeas and nays demanded by Mr. Bogle.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, Baxter, Blow, Bogle, J. B. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Daughtry, Davenport, Dortch, Eure, Flynt, Garland, Gorrell, G. Green, Grist, A. D. Headen, J. H. Headen, Holland, Humphrey, Johnson, Jordan, Lancaster, H. Leach, J. M. Leach, Love, Lyon, Mann, March, Mebane, Mordecai, S. J. Neal, Oglesby, Parks, Patterson, Patton, Rand, Regan, Roland, Russell, Selby, Settle, Sharpe, Shepherd, Simmons, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, G. M. White, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams and S. A. Williams—62.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, Black, Bryson, Bullock, J. G. Bynum, Cansler, Cofield, Craven, Daniel, Dargan, Dunn, Furr, Gentry, M. Green, Harrison, Hill, Horton, Jarvis, Jenkins, Jones, Loug, McDuffie, McMillan, Martin, Meares, Myers, J. W. Neal, Outlaw, Perkins, Phillps, Rose, Shaw, Sherrill, Shipp, Singeltary, Smallwood, Smith, Watts, Waugh, Whitaker, J. H. White, C. W. Williams, D. Williams, Wright and Yancey—46.

The bill was now taken up and read the second time.

Mr. Mebane submitted sundry amendments, pending the consideration of which, the hour arrived, and the House took a recess.

Three o'clock, P. M.

The House now resumed the consideration of the engrossed bill concerning usury, and the pending amendments.

Mr. Singeltary moved to add to the amendment the words, "and whipping;" which was lost.

The question recurring upon the pending amendment, it was rejected; yeas 34, nays 63.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Amis, Baxter, Bogle, J. G. Bynum, Carmichael, Cook, Craven, Daniel, Dargan, Furr, Gorrell, Hill, Horton, Jarvis, Johnson, Jones, J. M. Leach, McKesson, Mann, March, Oglesby, Outlaw, Parks, Patton, Perkins, Phillips, Sharpe, Singeltary, Smith, Turner, Walser, J. H. White, L. Whitfield and Yancey—34.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Bryson, Bullock, Cansler, Chadwick, Cofield, Daughtry, Davenport, Dunn, Flynt, Garland, Gentry, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Holland, Humphrey, Jenkins, Lancaster, H. Leach, Long, Lyon, McDuffie, Martin, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Patterson, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Steele, Sutton, Thornburg, Tomlinson, Vance, Watts, Waugh, Whitaker, G. M, White, N. B. Whit-

field, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams and Wright—63.

Mr. Singeltary moved to amend the bill by striking out the word "six" wherever it occurs in the bill, and insert "seven."

Which was lost; yeas 3, nays 96.

The yeas and nays demanded by Mr. Bullock.

Those who voted in the affirmative, were,

Messrs. McDuffie, Shepherd and Singeltary-3.

Those who voted in the negative, were,

Mersis. Amis, Badham, A. Barnes, J. Barnes, Baxter, Black, Bogle, Bryson, Bullock, J. G, Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Craven, Daniel, Dargan, Daughtry, Davenport, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton Humphrey, Jarvis, Jenkins, Johnson, Jones, Lancaster, H. Leach, J. M. Leach, Long, Lyon, McKesson, Mann, March, Martin, Meares, Mebane, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Rand, Regan, Rose, Russell, Selby, Settle, Sharpe, Shaw, Sherrell, Shipp, Simmons, Smith, Steele, Sutton, Thornburg, Tomlinson, Vance, Walser, Waugh, Whitaker, G. M. White, J. H. White, Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Willams, Wright and Yancey—96.

Mr. Shipp offered the following amendment:

And that the superior courts shall have exclusive jurisdiction of all indictments originating under this act;

Provided, That the fine shall never be less than the amount lent.

Which was adopted; yeas 61, nays 38.

The yeas and nays demanded by Mr. B. F. Williams.

Those who voted in the affirmative, were,

Messrs. Baxter, Bogle, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Craven, Daniel, Dargan, Daughtry, Eure, Flynt, Furr, Garland, Gentry, Gorrell, Grist, A. D. Headen, J. H. Headen, Holland, Horton, Johnson, Lancaster, H. Leach, J. M. Leach, McKesson, Mann, March, Meares, Mebane, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Selby, Sharpe, Shaw, Shipp, Simmons, Small-

wood, Smith, Stubbs, Sutton, Thornburg, Vance, Walser, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock and S. A. Williams—61.

Those who voted in the negative, were,

Messrs. Amis, Badham, J. Barnes, Black, Bryson, Bullock, Davenport, Dunn, G. Green, M. Green, Harrison, Hill, Jarvis, Jenkins, Lyon, McDuffie, Martin, Myers, J. W. Neal, Norment, Rand, Regan, Roland, Rose, Russell, Settle, Shepherd, Sherrill, Steele, Tomlinson, Turner, Wilkins, B. F. Williams, C. W. Williams, D. Williams, Wright and Yancy—38.

Mr. Shepherd submitted the following amendment:

Provided, That nothing in this act contained, shall apply to the holder of any usurious note, bill of exchange, or bond made negotiable, who has purchased the same bona fide, and without notice of the usury.

Which was lost.

Mr. Singeltary moved to amend the bill by striking out the word "six" wherever it occurs, and insert "five."

Mr. J. M. Leach called for a division of the question, and the question being first taken on striking out, it was determined in the negative; yeas 13, nays 90.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, Humphrey, McDuffie, McKesson, McMillan, Mann, Martin, Singeltary, Walser, Whitaker, C. W. Williams and D. Williams—13.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, Baxter, Black, Bogle, Bryson, Bullock, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Craven, Daniel, Dargan, Daughtry, Davenport, Eure, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Jarvis, Jenkins, Johnson, Lancaster, H. Leach, J. M. Leach, Long, Lyon, March, Meares, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Steele, Sutton, Thornburg, Tomlinson, Turner, Vance, Waugh, G. M.

White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, S. A. Williams, Wright and Yancey -90.

Mr. Cofield moved that the bill be indefinitely postponed, and subsequently withdrew the motion, which was renewed by Mr. _____, and the question thereon was determined in the negative; yeas 14, nays 84.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Black, Gentry, Martin, Norment, Regan, Singeltary, Steele, Whitaker, C. W. Williams, Wright and Yancey—14.

Those who voted in the negative, were,

Messrs. A. Barnes, Baxter, Bogle, Bryson, Bullock, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Dargan, Daughtry, Dunn, Eure, Flynt, Furr, Garland, Gorrell, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Jenkins, Johnson, Lancaster, H. Leach, J. M. Leach, Long, Lyon, McDuffie, McKesson, Mann, March, Meares, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Selby, Settle, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Waugh, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams and S. A. Williams—84.

On motion by Mr. Outlaw, the vote by which the amendment submitted by Mr. Shipp was adopted, was reconsidered, and Mr. Outlaw submitted the following as a substitute for the same:

Strike out "either the county or superior courts," and insert "the superior courts;" and after the word "five," insert "provided the fine imposed shall in no case be less than the sum lent."

To which amendment Mr. Myers offered the following: To be fined an amount not less than the excess of interest so taken.

Mr. Singeltary moved to refer the bill and amendments to a select committee; which motion was lost.

The question being now taken upon the amendment submitted by Mr. Myers, it was rejected. Mr. Roland offered the following amendment to the pending amendment:

And provided further, and it is the true meaning of this act, that the borrower shall likewise be subject to indictment in the superior courts, and fined in a sum not exceeding the sum borrowed.

Which amendment was rejected.

The question now recurring upon the amendment submitted by Mr. Outlaw, it was adopted, and the bill as amended passed its third reading; yeas 75, nays 28.

The yeas and nays demanded by Mr. Norment.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Baxter, Bogle, Bryson, Bullock, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Cofield, Cook, Cotten, Craven, Daniel, Dargan, Daughtry, Davenport, Eure, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Johnson, Jones, Lancaster, H. Leach, Lyon, McKesson, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Oglesby, Outlaw, Patterson, Patton, Perkins, Rand, Regan, Rose, Russell, Settle, Sharpe, Shipp, Simmons, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Turner, Vance, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, Whitlock, Wilkins and S. A. Williams—75.

Those who voted in the negative, were,

Messrs. Ams, Badham, J. Barnes, Black, Chadwick, Dunn, Humphrey, Jarvis, Jenkins, Long, McDuffie, McMillan, Martin, Myers, J. W. Neal, Norment, Roland, Selby, Shaw, Sherrill, Singeltary, Tomlinson, N. B. Whitfield, B. F. Williams, C. W. Williams, D. Williams, Wright and Yancey—28.

Mr. S. A. Williams, by leave, introduced a bill concerning settlement of estates, which was read the first time and passed, and referred to the committee on the judiciary.

On motion by Mr. McKesson, the House adjourned to to-morrow morning, 10 o'clock.

SATURDAY, JANUARY 20, 1855.

Mr. Steele, from the committee on corporations, to whom was referred a memorial from citizens of Buncombe county, praying

an amendment of the charter of the Asheville and Greenville Plankroad Company, reported the same back to the House, stating that a bill to carry out the prayer of the memorialists has been acted upon by the committee, and asked to be discharged from its further consideration, which report was concurred in.

Mr. Whitaker introduced a resolution in favor of Charles H. Thompson, which was read the first time and passed; the rule being suspended, it was read the second and third time and passed, and ordered to be engrossed.

Mr. Jordan introduced a bill to incorporate Albemarle and Norfolk Railroad Company, which was read the first time and passed, and referred to the committee on internal improvement.

Mr. Roland a bill to prevent obstructions to the passage of fish in Shooting creek, in the county of Cherokee, which was read the first time and passed, and referred to the committee on private bills.

Mr. Lyon, a bill to enlarge the jurisdiction of justices of the peace, which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Gorrell a bill to incorporate the Holtsburg Manufacturing Company, which was read the first time and passed, and referred to the committee on corporations.

Mr. Stubbs, a bill to change the time of holding the court of pleas and quarter sessions in the county of Beaufort, which was read the first time and passed; the rule being suspended, the same was read the second and third time and passed, and ordered to be engrossed.

Mr. Walser, a bill to authorize James P. Stimpson to collect taxes; which was read the first time and passed.

Mr. J. H. Headen, a bill to incorporate the Chatham and Randolph Plankroad Company; which was read the first time and passed, and referred to the committee on corporations.

Also a bill to revive and continue in force an act, entitled an act to appoint commissioners for the town of Haywood, in the county of Chatham, and for the better regulation of the same; which was read the first time and passed.

Mr. Gentry, a bill to incorporate the town of Jefferson, in the county of Ashe; which was read the first time and passed.

Mr. Singeltary submitted the following resolution; which, under the rule, lies over one day.

Resolved, That hereafter, no bill making an appropriation out of the treasury for any work of internal improvement whatever, shall be considered until the tax bill is finally disposed of.

On motion by Mr. Meares, the bill to establish a military and scientific school in this State was taken up, and made the special order of the day for Thursday next at 11 o'clock.

Received from the Senate a message, informing the House that they have agreed to the amendment proposed by the House to the engrossed bill concerning mills and millers, and the bill is ordered to be enrolled.

Also a message, informing that the Senate insists on its disagreement to the amendment proposed by the House to the engrossed bill concerning criminal proceedings, and invites a conference.

The House agrees to the conference, and the Speaker appointed Messrs. Dortch, Outlaw and Phillips on the part of the House to confer, and the Senate was informed thereof by message.

Message returned, informing that Messrs. Biggs, Hoke and Gilmer form the Senate branch of the committee of conference, and will meet the House branch in the library at one o'clock this day P. M.

Also a message, transmitting an engrossed bill to amend the constitution of the State of North Carolina, in which they ask the concurrence of the House; the said bill was read for the information of the House.

The House now resumed the consideration of the unfinished business of yesterday, being a bill to amend an act, entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, and the pending amendments submitted by Mr. Mebane.

Mr. Singeltary moved to lay the same upon the table, and to take up the engrossed bill to amend the constitution of the State of North Carolina; which motion was lost: yeas 42, nays 55.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryson, Bullock, J. B. Bynum, Cofield, Daughtry, Dunn, Flynt, Garland, Gentry, M. Green, Hill, Holland, Horton, Jarvis, Jenkins, Jordan, Long, Lyon, McDuffie, Mann, Martin, Meares, J. W. Neal,

Rand, Settle, Sherrill, Singeltary, Smallwood, Tomlinson, Watts, Waugh, Whitaker, G. M. White, Whitlock, C. W. Williams, D. Williams, Wright and Yancey—42.

Those who voted in the negative, were,

Messrs. Baxter, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Cotten, Craven, Dargan, Davenport, Dortch, Furr, Gorrell, G. Green, Grist, Humphrey, Johnson, Jones, Lancaster, H. Leach, J. M. Leach, McMillan, March, Mebane, Mordecai, Myers S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Patton, Perkins, Phillips, Regan, Roland, Russell, Sharpe, Shaw, Shepherd, Shipp, Simmons, Smith, Steele, Stubbs, Sutton, Thornburg, Turner, Walser, L. Whitfield, N. B. Whitfield, Wilkins and B. F. Williams—55.

So the House refused to lay upon the table, and resumed the consideration of the unfinished business of yesterday.

Mr. Mebane withdrew the amendment submitted by him on yesterday, and offered the following, which were severally read and adopted:

Strike out in section 1st, the word "twelve" and insert "sixteen."

Strike out in section 5th, line 7th, "eight hundred thousand" and insert "to the amount of two thirds of the capital stock of said company."

In the 7th section, strike out all of the section after the words "necessary and current," and insert "bonds with coupons" attached.

Signed by the Governor, and countersigned by the public treasurer, and sealed with the great seal of the State, and made payable to or bearer, and the principal shall be payable at the end of thirty years from the date of the same, and coupons of interest payable semi-annually, in such form as may be prescribed by the public treasurer, shall be attached to the bonds, and the bonds and coupons attached, shall be made payable at such bank or place in the city of New York, or at the office of the public treasurer in Raleigh, as he, the public treasurer may think proper.

Provided however, That no such bond shall be issued for a sum less than five thousand dollars, and no bond shall be sold for a less sum than par value, and it shall be the duty of the public treasurer to enter in a book to be kept for that purpose, a memor-

andum of the bonds issued by virtue of this act; the number, date of issue, when and where payable, to whom issued, or to whom sold, and at what premium, if any, the same was sold by him.

Strike out section 8th and insert, "that the comptroller shall register the said bonds at large, in a book to be kept by him for that purpose, and shall charge the public treasurer with the amount thereof, and also with all such sums if any, as the public treasurer may obtain by way of premium on the sale of said bonds, an account of which the public treasurer shall render to the comptroller as soon as negotiations from time to time for the sale of said bonds are closed.

In section 9th, line 2d, strike out certificates and insert "coupon bonds," and in line 4th of 9th section, after the word "best," and state in the advertisement thereof, "that said bonds have coupons attached," and strike out 11th section.

In section 9th, line 5th, strike out the sum of "eight hundred thousand" and insert "for such amount of the capital stock owned by the State in said company."

In section 5th, line 6, after the word "taken," insert, "by solvent individuals or companies;" in some section and line, strike out "two" and insert "three."

Mr. Myers submitted the following amendment, which was rejected:

Provided further, That the construction of said Atlantic and North Carolina Railroad, shall be commenced at some point on Beaufort Harbor, and that said work shall be completed for the distance of twenty miles from the Harbor of Beaufort, as aforesaid.

Mr. Outlaw, from the joint committee of conference, upon the bill entitled a bill concerning criminal proceedings, submitted a report in writing.

Mr. Singeltary moved that this House do now adjourn to Monday morning, 10 o'clock.

The House refused to adjourn; yeas 44, nays 60.

The yeas and nays demanded by Mr. McKesson.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Blow, Bryson, Cansler, Dargan, Daughtry, Dortch, Gentry, Harrison, J. H. Headen,

Jarvis, Jenkins, Jones, Jordan, Lancaster, J. M. Leach, Long, Love, McDuffie, Mann, Martin, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Parks, Phillips, Rand, Roland, Rose, Shaw, Sherrill, Shipp, Singeltary, Steele, Stubbs, Whitaker, G. M. White, J. H. White, Wilkins and D. Williams—44.

Those who voted in the negative, were,

Messrs. A. Barnes, Baxter, Black, Bogle, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Davenport, Dunn, Eure, Flynt, Furr, Garland, Gorrell, G. Green, M. Green, Grist, A. D. Headen, Hill, Holland, Horton, Humphrey, Johnson, H. Leach, Lyon, McKesson, McMillan, Mebane, Myers, Norment, Oglesby, Patterson, Patton, Perkins, Regan, Russell, Selby, Settle, Sharpe, Shepherd, Simmons, Smallwood, Smith, Sutton, Thornburg, Turner, Watts, Waugh, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, Wright and Yancey—60.

The hour having now arrived, the House took a recess until three o'clock, P. M.

Three o'clock, P. M.

Mr. G. M. White moved that this House do now adjourn to Monday morning, 10 o'clock; which was agreed to; yeas 50, nays 31.

The yeas and nays demanded by Mr. Jarvis.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes; Blow, Bogle, Bryson, J. G. Bynum, Chadwick, Cotten, Daughtry, Dunn, Eure, Garland, Gorrell, Harrison, A. D. Headen, J. H. Headen, Hill, Jenkins, Lancaster, J. M. Leach, Lyon, McKesson, McMillan, Mann, Martin, J. W. Neal, S. J. Neal, Outlaw, Parks, Patterson, Phillips, Roland, Rose, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Steele, Stubbs, Turner, Walser, Waugh, Whitaker, G. M. White, J. H. White, Wilkins and D. Williams—50.

Those who voted in the negative, were,

Messrs. A. Barnes, Baxter, Bullock, J. B. Bynum, D. F. Caldwell, Daniel, Flynt, Furr, M. Green, Grist, Holland, Horton, Humphrey, Jarvis, H. Leach, Mebane, Myers, Norment, Regan, Russell, Settle, Sharpe, Smallwood, Smith, Thornburg, Watts,

N. B. Whitfield, B. F. Williams, C. W. Williams, Wright and Yancey-31.

MONDAY, JANUARY 22, 1855.

The Speaker announced the following committee on enrolled bills:

Messrs. Baxter, Singeltary, Shipp, J. B. Bynum and Whitlock.
Mr. Norment presented a memorial from citizens of Robeson county on the subject of temperance; and

Mr. Shepherd a memorial from citizens of Cumberland county against dividing said county, which were referred to the committee on propositions and grievances.

Mr. Steele, from the committee on corporations, to whom was referred a bill to incorporate the Holtsburg Manufacturing Company; and

A bill to incorporate the Chatham and Randolph Plankroad Company, reported the same back to the House, and recommended their passage.

Also unfavorably, a bill to incorporate the Stokes Iron Mining Company.

Mr. Cansler, from the committee on internal improvements, to whom was referred a bill to incorporate the Mountain Railroad Company, and

A bill to authorize the State to subscribe stock in the Gulf and Graham Plankroad Company, reported the same back to the House, and recommended their passage.

Mr. Norment submitted the following resolution:

Resolved, That this House will go into night sessions from and after to-morrow, say from seven to nine o'clock each evening of this and next week.

Which was read and adopted; yeas 57, nays 46.

The yeas and nays demanded by Mr. Myers.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Cook, Dortch, Dunn, Flynt, Furr, Garland, Gentry, M. Green, Holland, Horton, Jarvis, Johnson, Jordan, Lancaster, H. Leach, Long, Lyon, McDuffie, McMillan, Meares, Mebane, Myers, Norment, Oglesby, Phillips, Regan, Russell, Selby, Settle, Shape, Shepherd, Sher-

rill, Simmons, Smallwood, Smith, Sutton, Thornburg, Watts, Wangh, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, T. H. Williams and Wright—57.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Blow, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cotten, Craven, Dargan, Daughtry, Davenport, Eure, Gorrell, G. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Humphrey, Jenkins, J. M. Leach, Love, Mann, Martin, Mordecai, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Rand, Rose, Snipp, Singeltary, Steele, Stubbs, Turner, Whitaker and G. M. White—46.

Mr. G. M. White submitted the following resolution:

Resolved, That from and after to-morrow, this House take a recess from 2 P. M. to 7 P. M.; which, on motion by Mr. Bogle, was laid upon the table.

Mr. J. G. Bynum submitted the following resolution; which was read and adopted:

Resolved, That a select committee of five be appointed to inquire what interest the State has in Clubfoot and Harlow Creek Canal, the value of that interest, and whether any further legislation is necessary upon the subject; and that they report by bill or otherwise.

Mr. J. G. Bynum submitted a resolution concerning the distribution of the acts of the General Assembly; which was read the first time and passed.

Mr. Phillips presented a resolution in favor of Wilson Atwater; which was read the first time and passed, and referred to the committee on claims.

Mr. Love introduced a bill to amend an act, entitled an act to incorporate the Jonathan Creek and Mountain Turnpike Company, in the county of Haywood, passed at the session of 1846-'7; the same was read the first time, passed, and referred to the committee on claims.

Mr. C. W. Williams, a bill to incorporate the Yadkin Institute, in the county of Yadkin; which was read the first time and passed.

Mr. J. G. Bynum, a bill concerning the duties of grand jurors; the same was read the first time and passed.

A resolution submitted by Mr. Singeltary on Saturday last, proposing to pass no bills appropriating money until the tax bill is passed, was taken up and rejected; yeas 47, nays 63.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Cotton, Craven, Daniel, Daughtry, Davenport, Dunn, Eure, Flynt, Garland, Gentry, M. Green, Hill, Holland, Jarvis, Jenkins, Jones, Jordan, Long, McDuffie, Martin, Myers, J. W. Neal, Phillips, Rose, Selby, Sherrill, Singeltary, Smallwood, Tomlinson, Watts, Waugh, Whitaker, J. H. White, Whitlock, C. W. Williams, D. Williams, Wright and Yancey—47.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Bogle, Bryson, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cofield, Cook, Dargan, Dortch, Furr, Gorrell, G. Green, Grist, Harrison, A. H. Headen, J. H. Headen, Horton, Humphrey, Johnson, Lancaster, H. Leach, J. M. Leach, Love, Lyon, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Patton, Perkins, Rand, Regan, Roland, Russell, Settle, Sharpe, Shepherd, Shipp, Simons, Smith, Steele, Sutton, Thornburg, Turner, Walser, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams and T. H. Williams—63.

The Speaker announced that the unfinished business of Saturday would now be taken up, being the bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company.

Mr. Singeltary moved to lay said bill upon the table, and to take up the bill to increase the revenue of the State.

Which motion was disagreed to, yeas 44, nays 65.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Blow, Bryson, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Daniel, Daugh-

try, Dunn, Flynt, Garland, Gentry, M. Green, Harrison, Hill, Holland, Horton, Jarvis, Jenkins, Jones, Long, McDuffie, Martin, Myers, J. W. Neal, Phillips, Rand, Rose, Sherrill, Singeltary, Smallwood, Tomlinson, Watts, Waugh, Whitaker, J. H. White, Whitlock, C. W. Williams, D. Williams and Wright —44.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Bogle, Bryant, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cofield, Cook, Cotten, Craven, Dargan, Dortch, Eure, Furr, Gorrell, G. Green, Grist, A. D. Headen, J. H. Headen, Humphrey, Johnson, Jordan, Lancaster, H. Leach, J. M. Leach, Love, Lyon, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Patton, Perkins, Regan, Roland, Russell, Settle, Sharpe, Shepherd, Simmons, Smith, Steele, Stubbs, Sutton, Thornburg, Turner, Walser, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams and T. H. Williams—65.

So the House refused to lay upon the table, and the said bill was accordingly taken up.

Mr. Singeltary moved to amend the same, by striking out the individual subscription, so as to make the State the sole owner.

Which was disagreed to, yeas 00, nays 112.

The yeas and nays demanded by Mr. Singeltary.

No person voted in the affirmative.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Craven, Daniel, Dargan, Daughtry, Davenport, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, J. M. Leach, Long, Love, Lyon, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Sharpe, Shepherd, Sherrill, Shipp, Sim-

mons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, T. H. Williams, Wright and Yancey—112.

Mr. Patterson submitted the following amendment, which was adopted:

Provided, That nothing contained in this act shall be so construed as to prevent the crossing or intersection of any other railroad, authorized by the General Assembly, with the aforesaid Atlantic and North Carolina Railroad, and at such point or points to erect the necessary buildings, for receiving and forwarding produce, merchandize, passengers, &c., to be transported on such intersecting road or roads.

The bill as amended passed its third reading; yeas 88, nays 22.

The yeas and nays demanded by Mr. J. H. White.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, Barringer, Baxter, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Dargan, Davenport, Dortch, Eure, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, A. D. Headen, J. H. Headen, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jordan, Lancaster, H. Leach, J. M. Leach, Long, Love, Lyon, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkius, Phillips, Rand, Regan, Roland, Russell, Settle, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Walser, Whitaker, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Wright and Yancey—88.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, J. G. Bynum, Cotten, Daughtry, Dunn, Flynt, Furr, Harrison, Hill, Holland, Horton, McDuffie, Martin, Myers, Singeltary, Watts, Waugh, J. H. White, Whitlock, C. W. Williams and D. Williams—22.

The special order of the day being the bill to incorporate a company, to construct a railroad from some point on the waters

of Beaufort Harbour, to the town of Fayetteville, was taken up, and

On motion by Mr. Humphrey, the consideration of the same was postponed, and the bill made the special order of the day for Monday next, at 12 o'clock.

Mr. Dortch moved that the bill to incorporate the Wilmington and Charlotte Railroad Company, be now taken up.

Which was agreed to; yeas 63, nays 47.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Barringer, Baxter, Bogle, Bullock, A. H. Caldwell, D. F. Caldwell, Cansler, Chadwick, Cofield, Cook, Dargan, Davenport, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, G. Green, M. Green, Grist, A. D. Headen, J. H. Headen, Humphrey, Jarvis, Jenkins, Johnson, Jones, Love, McKesson, McMillan, Meares, Mebane, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Patterson, Patton, Perkins, Regan, Roland, Russell, Selby, Sharpe, Shepherd, Sherrill, Simmons, Smith, Stubbs, Sutton, Tomlinson, Turner, G. M. White, L. Whitfield, Whitlock, Wilkins, B. F. Williams and T. H. Williams—63.

Those who voted in the negative, were,

Messrs. Amis, Badham, J. Barnes, Blow, Bryant, Bryson, J. B. Bynum, J. G. Bynum, Carmichael, Cotten, Craven, Daniel, Daughtry, Gorrell, Harrison, Hill, Holland, Houston, Lancaster, H. Leach, J. M. Leach, Long, Lyon, McDuffie, March, Martin, S. J. Neal, Outlaw, Parks, Phillips, Rand, Rose, Settle, Shipp, Singeltary, Smallwood, Thornburg, Walser, Watts, Waugh, Whitaker, J. H. White, N. B. Whitfield, C. W. Williams, D. Williams, Wright and Yancey—47.

The said bill was accordingly taken up and read the third time. Pending the consideration thereof, the hour arrived, and the House now took a recess until 3 o'clock.

Three o'clock, P. M.

Received from the Senate a message, informing that they have passed the engrossed bill, amending the 7th section of an act, entitled an act to incorporate a bank in the town of Washington, with an amendment; which was agreed to, and the Senate informed by message.

Also a message, informing that they have agreed to the amendment of the House, to the bill concerning criminal proceedings, amended as follows: add the words after the word "dead," in the 12th line of section 1st, "or by procurement or connivance hath removed out of the State;" which was agreed to, and the bill was ordered to be enrolled, and the Senate informed by message.

Received from the Senate a message, transmitting the following engrossed bills, in which they ask the concurrence of the House:

A bill concerning partition;

A bill concerning religious societies;

A bill concerning internal improvement; and

A bill concerning quarantine and health; which were severally read the first time and passed.

The rule being suspended, they were read the second and third time, passed, and ordered to be enrolled.

The engrossed bill concerning evidence was taken up, and the amendment reported by the committee on the revisal of the statutes adopted, and the bill, as amended, passed its third reading, and the Senate was informed by message, and their concurrence in the amendment asked.

The engrossed bill concerning seamen was taken up; the same having been read the second time,

On motion by Mr. D. F. Caldwell, it was indefinitely post-poned.

A bill to incorporate the Greensborough, Madison and Virginia Plankroad Company, was read the third time, and amended by Mr. J. W. Neal, passed as amended, and ordered to be engrossed.

A bill concerning the Wilmington and Raleigh Railroad Company, was read the third time, amended by Mr. Smith, passed, as amended, and ordered to be engrossed.

A bill in favor of Thos. N. Alexander;

A bill to incorporate the Trent River Navigation Company; and the engrossed bill to cede to the United States of America a site for a beacon light on or near the point of Cape Hatteras, were severally read the third time, passed, and ordered to be engrossed, and the engrossed bill to be enrolled.

A bill to incorporate the Shelby Railroad Company, was taken up and read the third time, and

On motion by Mr. Holland, the further consideration was postponed, and the bill made the special order of the day for Friday next at 11 o'clock, A. M.

The engrossed bill to authorize Wm. S. Ballinger, his associates and assigns to construct a dam across Neuse river, was read the third time, and Mr. Whitaker submitted the following amendment, which was adopted; amendment to be added to the proviso: "And if said dam shall be constructed in any other manner than is hereby authorized, it shall be deemed a public nuisance, and the corporation or party by whom it is erected, managed or controlled, shall be further liable to a penalty of five dollars for each and every day of its continuance, which may be recovered by any person suing for the same."

Mr. Tomlinson moved to strike out the amendment heretofore adopted by this House, which was refused.

Mr. Love moved to reconsider the vote by which the amendment submitted by Mr. Whitaker was adopted.

The House refused to reconsider, and the bill as amended passed its third reading, and the Senate was informed by message, and their concurrence asked in the amendment.

On motion by Mr. Vance, the House adjourned to to-morrow morning 10 o'clock.

TUESDAY, JANUARY 23, 1855.

Mr. J. G. Bynum presented a memorial praying the establishment of Golden Valley county, which, on his motion, was laid upon the table.

Mr. Patterson, from the committee on finance, made a report upon the books of the treasurer, which was read, and on his motion, transmitted to the Senate.

Mr. Dargan, from the committee on military affairs, to whom was referred a bill to repeal an act requiring the enrollment in the militia of free white men of the age of eighteen, reported the same back to the House, and recommended its passage.

Mr. Shepherd introduced a bill to incorporate the Locksville and Cumberland Plankroad Company; the same was read the

first time, passed, and referred to the committee on internal improvements.

Mr. Waugh, a bill to incorporate the Salem Society for the protection of property.

Which was read the first time, passed and referred to the committee on propositions and grievances.

Mr. Jarvis moved to take up the engrossed bill to amend the constitution of the State of North Carolina.

Which was agreed to; yeas 66, nays 43.

The yeas and nays demanded by Mr. Jarvis.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Chadwick, Cofield, Cotten, Daughtry, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, J. M. Leach, Lyon, McDuffie, Mann, March, Martin, Mordecai, Oglesby, Patton, Rand, Roland, Rose, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Stubbs, Tomlinson, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—66.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Cooke, Craven, Daniel, Dargan, Davenport, Dortch, Eure, Furr, Gorrell, G. Green, Grist, Johnson, Jones, H. Leach, Love, McKesson, McMillan, Meares, Myers, Mebane, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Regan, Sharpe, Shipp, Simmons, Smith, Steele, Sutton, Thornburg, Walser, Wilkins and T. H. Williams—43.

The said bill was accordingly taken up, the same having been read in this House the first time.

Mr. Baxter moved to amend the bill by striking out the whole of said bill and inserting the following:

A bill concerning a convention to amend the constitution of the State:

WHEREAS, divers propositions have been made for amending the constitution of the State, and this General Assembly has reason to believe that a large portion of the people of North Carolina are desirous of amending the same; and although the General Assembly disclaims all right and power in itself, to ordain and establish amendments of the constitution, it is considered to be its duty to adopt measures for ascertaining the will of the people in the premises, and to carry that will into effect, in the most convenient and efficacious manner, when ascertained; therefore,

- SEC. 1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same. That the courts of pleas and quarter sessions of the several counties in the State, at the term thereof to be held next after the first day of April, one thousand eight hundred and fiftyfive, shall appoint two inspectors to superintend the polls to be opened at each and every separate election precinct in said counties, for ascertaining by ballot the will of the freemen of North Carolina relative to the calling of a State Convention; and if any such court or courts shall fail to make such appointments, or if any person so appointed shall fail to appear and act as such at the election hereinafter directed to be held, it shall be the duty of the sheriff of the county, or his deputy at any precinct, with the advice of one justice of the peace, or if no justice be present, with the advice of three freeholders, to appoint an inspector, when the court shall have failed to make an appointment, or in place of any person who has been appointed and failed to appear and act; and the inspector or inspectors thus appointed, when duly sworn by some justice of the peace faithfully to perform their duties in such election, shall have the same authority as if appointed by a court as aforesaid.
- 2. That it shall be the duty of the sheriff, in each and every county in the State, to open polls at the several election precincts in his county, on the first Thursday in August next, when all persons qualified according to the constitution to vote for members of the House of Commons may vote for or against a State Convention to amend the constitution; those desiring such convention to vote with a written or printed ticket "Convention," and those not wishing a Convention, to vote with a like ticket "No Convention."
- 3. That it shall be the duty of the said sheriffs to make duplicate returns of the polls in their respective counties, sworn to before the clerk of the county court, one copy of which shall be de-

posited in said clerk's office, and the other copy transmitted to the Governor of the State at Raleigh, within ten days after the holding of said polls.

- 4. That it shall be the duty of the Governor, as soon as he shall have received the returns of the sheriffs, in the presence of the secretary of State, public treasurer, and comptroller, to compare the votes for and against a convention; and if it shall appear that a majority of the votes polled are in favor of it, he shall forthwith issue his proclamation announcing the result, in three newspapers published in the city of Raleigh; and he shall likewise issue a writ of election to every sheriff in the State, requiring him to open polls for the election of delegates to a convention, under the same regulations and penalties, that are prescribed for holding other State elections, on the first Thursday in October, A. D. 1855.
- 5. The persons who shall have been inspectors in the election for taking the vote on convention, shall act in the same capacity in the election of delegates; but in case of failure, the vacancies shall be supplied in the manner provided as aforesaid.
- 6. That the several county courts shall allow the shenff the same compensation for this as for other elections; and any sheriff or other officer appointed to hold said elections who shall fail in his duty, according to the requirements of this act, shall forfeit and pay to the State the sum of one thousand dollars, to be recovered in the name of the State, in a suit to be immediately instituted by the solicitor of the circuit, before the superior court of the county.
- 7. That all persons qualified to vote for members of the House of Commons under the present constitution, shall be entitled to vote for members of the said convention; and all free white men, citizens of this State, who shall have resided in the same for two years next before said election, and at the time thereof are eligible to the House of Commons under the present constitution, shall be eligible to a seat in said convention.
- 8. That each county in the State shall be entitled to elect and send to said convention the same number of members that she is entitled to in the House of Commons, under the apportionment now existing; and if any vacancy shall happen by death or otherwise, after such election, and before the meeting of said conven-

tion, the Governor shall immediately issue a writ of election to

supply such vacancy.

9. That the delegrates so chosen shall convene in the city of Raleigh on the first Monday of December, A. D. 1855; a majority of all those elected shall constitute a quorum for the transaction of business; and if a quorum shall not attend on that day, those assembled may adjourn from day to day, until a quorum shall appear and qualify.

- 10. That no elected delegate shall be permitted to take his seat in said convention until he shall have taken an oath to support the Constitution of the United States and also the following oath, namely: "I (A. B.) do solemnly swear or affirm (as the case may be) that I will faithfully and impartially perform my duty in this convention, by revising the Constitution of this State, and proposing and supporting amendments to the same in such particulars only as in my opinion the public good shall require. So help me God."
- 11. That the public treasurer be, and he is hereby authorized to pay upon the warrant of the Governor, such sums as may be necessary for the contingent charges of the convention, and also to each member of the convention two dollars per day for his service in the same, and five cents per mile for his travelling expenses to and from said convention.
- 12. That it shall be the duty of the Governor, immediately after the passage of this act, to transmit a copy of the same to each and every clerk of a county court, to be posted at the door of the court house of his county, and to cause the same to be published in at least two newspapers in the State, until the meeting of said convention.
- 13. That by the vote of the people in favor of a convention, in the manner herein before provided, this act shall be considered to have been ratified and its provisions ordained by them; and the delegates elected as aforesaid, in convention assembled, shall have power to consider and propose such amendments to the Constitution of North Carolina as to them shall seem best suited to establish justice, ensure domestic tranquility, and preserve the blessings of liberty in the present condition of the people of the State.
- 14. That the said convention shall have power, and it shall be its duty to adopt ordinances for submitting such amendments as

they may propose to the suffrages of the freemen of the State, qualified to vote in the House of Commons, at such time as shall be designated by itself; and a majority of their votes shall determine the question of their ratification or rejection: And the said convention shall also provide all necessary ordinance, and regulations for carrying into effect the constitution as amended, provided the same shall be ratified by the popular vote as aforesaid.

15. That this act shall be in force from its ratification.

Mr. Shepherd asked for a division of the question, and the same being first taken upon striking out, it was determined in the negative; yeas 39 nays 74.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, Rryson, J. G. Bynum, D. F. Caldwell, Carmichael, Ghadwick, Cook, Craven, Daniel, Furr, Gorrell, G. Green, Grist, Harrison, J. H. Headen, Horton, Johnson, Love, McKesson, Mann, Mebane, S. J. Neal, Parks, Patterson, Patton, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Thornburg, Turner, Vance, Walser and B. F. Williams—39.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Cofield, Cotten, Dargan, Daughtry, Davenport, Dortch, Dunn, Eure, Flynt, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, McDuffie, McMillan, March, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Outlaw, Perkins, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sutton, Sherrill, Singeltary, Smallwood, Smith, Steele, Stubbs, J. H. White, L. Whitfield, N. B. Whitfield, Tomlinson, Watts, Waugh, Whitaker, G. M. White, Whitlock, Wilkins, C. W. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—74.

So the amendment was rejected; and Mr. Baxter submitted the following amendment:—Strike out all of the first section after the words "thurty-five," and insert.

"And the fifth, sixth, seventh, eighth, thirteenth, fifteenth and thirty-third sections of the constitution of this State, ratified on the 18th day of December, A. D. 1776, be and the same are hereby

abrogated and annulled," and the following substituted in lieu thereof:

Every free white man, of the age of twenty-one years, being a native or naturalized cinzen of the United States, and who has been an imhabitant of this State for twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to a vote for a member of the Senate and members of the House of Commons, for the district and county in which he resides.

- Sec. 2. The judges of the supreme court and judges of the Superior courts of law and equity, shall hereafter be appointed and commissioned in such manner, and hold their offices for a term not less than six years, as the General Assembly by law may direct.
- Sec. 3. All justices of the peace within the several counties of this State shall hereafter be elected for a term not less than four years, by the qualified voters for members of the General Assembly, at such times and in such manner as may be prescribed by law, and they shall be commissioned by the Governor, and removable for misbehavior, absence or inability.
- Sec. 4. No person under thirty years of age, and who is not a native or naturalized white citizen of the United States, and a resident of the State for five years immediately preceding his election, shall be eligible as Governor.

Mr. Smith submitted the following as an amendment to the amendment of Mr. Baxter.

Resolved, That the bill and amendment be referred to the committee on constitutional reform, with instructions to report a change for the qualifications of voters for the Senate, and the election of judges and justices of the peace by the people.

Which was rejected; yeas 7, nays 106.

The yeas and nays demanded by Mr. Smith.

Those who voted in the affirmative, were,

Messrs. Daniel, Eure, Love, Mebane, Sharpe, Shipp and Turper-7.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Larnes, Barringer, Baxter, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael,

Chadwick, Cofield, Cook, Cotten, Craven, Dargan, Daughtry, Davenport, Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, J. M. Leach, Long, Lyon, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Vance, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, F. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—106.

The question now recurring upon the amendment submitted by Mr. Baxter, Mr. J. B. Bynum asked for a division of the questuestion, and the question being first taken upon striking out, it was determined in the negative; yeas 45, nays 67.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Furr, Garland, Gorrell, G. Green, Harrison, J. H. Headen, Horton, Johnson, H. Leach, J. M. Leach, Love, McKesson, Mann, March, Mebane, S. J. Neal, Ontlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Thornburg, Turner, Vance, Walser and B. F. Williams—45.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Dargan, Daughtry, Davenport, Dortch, Dunn, Eure, Flynt, Gentry, M. Green, Grist, A. D. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, Long, Lyon, McDuffie, McMillan, Martin, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singelfary, Smallwood, Steele, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whit-

lock, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—67.

Mr. Baxter then moved to amend the bill by adding thereto sections 2nd, 3rd and 4th of the last amendment submitted by him, and asked that the vote be taken on each section separately.

The question being taken upon the second section, it was rejected; yeas 45, nays 67.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Antis, Barringer, Baxter, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Eure, Furr, Garland, Gorrell, G. Green, Harrison, J. H. Headen, Horton, Johnson, H. Leach, J. M. Leach, Love, McKesson, Mann, March, Mebane, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Stubbs, Thornburg, Vance, Walser and B. F. Williams —45.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Cofield, Cotten, Dargan, Daughtry, Dortch, Dunn, Flynt, Gentry, M. Green, A. D. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, Long, Lyon, McDuffie, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Steele, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W Williams, D. Williams, S. A. Williams, T. H. Wilkins, Williams, Wright and Yancey—67.

The question upon the third section of said amendment, was determined in the negative; yeas 43, nays 68.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Furr, Garland, Gorrell, G. Green, Harrison, J. H. Headen, Horton, Johnson, H. Leach, J. M. Leach, Love, McKesson, Mann, March, Mebane, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phil-

lips, Roland, Russell, Sharpe, Shipp, Simmons, Stubbs, Thornburg, Turner, Vance, Walser and B. F. Williams—43.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bogle, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Cofield, Cotten, Dargan, Daughtry, Dortch, Dunn, Flynt, Gentry, M. Green, A. D. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, Long, Lyon, McDuffie, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Steele, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—68.

Mr. Outlaw, moved to amend the pending 4th section of the amendment, by striking out the word "naturalized;" which was lost, yeas 30, nays 82.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Cook, Craven, Daniel, Dortch, Eure, Gorrell, J. M. Leach, McKesson, Mann, March, S. J. Neal, Outlaw, Parks, Patterson, Perkins, Phillips, Sharpe, Shipp, Smith, Stubbs, Thornburg, Turner, Vance and Walser—30.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Blow, Bogle, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Chadwick, Cofield, Cotten, Dargan, Daughtry, Dunn, Flynt, Furr, Garland, Gentry, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, Love, Lyon, McDuffie, McMillan, Martin, Meares, Mebane, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Patton, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Steele, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—82.

The question now recurring upon the 4th section of Mr. Baxter's amendment, it was rejected; yeas 44, nays 68.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Davenport, Eure, Furr, Gorrell, G. Green, Harrison, J. H. Headen, Horton, Johnson, Hugh Leach, J. M. Leach, Love, McKesson, Mann, March, Mebane, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Stubbs, Thornburg, Turner, Vance, Walser and B. F. Williams—44.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, Cansler, Cofield, Cotten, Dargan, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, Long, Lyon, McDuffie, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Steele, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—68.

Mr. Mebane submitted the following amendment:

"And also for members of the House of Commons in the county in which they reside."

Pending the consideration of which, the hour arrived under the rule, and the House took a recess until three o'clock, P. M.

Three o'clock, P. M.

Mr. Patterson submitted the following resolution, which under the rule lies over one day:

Resolved, That the resolution adopted by this House, prescribing that the afternoon sessions shall be devoted exclusively to the consideration of the Revised Statutes, be and the same is hereby rescinded.

Mr. Singeltary moved that the rules be suspended, so as to take up bills upon their second reading; which was carried.

Mr. A. H. Caldwell moved to re-consider the vote by which was adopted the resolution relating to night sessions.

Which was carried; yeas 60, nays 41.

The yeas and nays demanded by Mr. Jarvis.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Blow, Bogle, Bryson, A. H. Caldwell, Carmichael, Chadwick, Cofield, Cotten, Daniel, Dargan, Daughtry, Davenport, Grist, Harrison, A. D. Headen, J. H. Headen, Horton, Humphrey, Jenkins, Jones, J. M. Leach, McDuffie, McMillan, Mann, March, Martin, Meares, J. W. Neal, S. J. Neal, Outlaw, Patton, Perkins, Rand, Roland, Rose, Sharpe, Shaw, Shipp, Singeltary, Steele, Stubbs, Vance, Walser, Whitaker, G. M. White, Wilkins, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—60.

Those who voted in the negative, were,

Messrs, Bryant, Bullock, J. B. Bynum, Cook, Craven, Dortch, Dunn, Flynt, Garland, Gentry, Gorrell, M. Green, Holland, Jarvis, Johnson, H. Leach, Long, Lyon, Mebane, Myers, Norment, Oglesby, Phillips, Regan, Russell, Sefby, Settle, Shepherd, Sherrill, Simmons, Smith, Sutton, Thornburg, Tomlinson, Watts, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock and C. W. Williams—41.

On motion by Mr. Patterson, the resolution was then laid upon the table.

A bill to incorporate the Fair Bluff and Conwayboro' Plankroad Company;

A bill to incorporate the Whitesville and Iron Hill Plankroad Company;

A bill concerning hogs running at large in the streets of Elizabeth City in the county of Pasquotank;

A bill to incorporate the Dobbin House Company in the town of Fayetteville;

A bill to incorporate the Guilford Gold and Copper Mining Company; and

A bill to alter the times of holding the courts of pleas and quarter sessions for the county of Hyde,

Were severally read the second time, amended and passed.

The rule being suspended, the same were read the third time, passed and ordered to be engrossed.

A bill to authorize the formation of limited partnerships, was taken up, and, on motion by Mr. Steele, laid upon the table.

A bill to incorporate the town of Franklin, was read the second time and passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

A bill to lay off and establish a new county by the name of Ruffin, was read the second time and rejected; yeas 30, nays 72.

The yeas and nays demanded by Mr. Stubbs.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Baxter, Bryson, J. G. Bynum, A. H. Caldwell, Carmichael, Chadwick, Cofield, Cook, Flynt, Furr, Garland, Gentry, A. D. Headen, Holland, Horton, Humphrey, J. M. Leach, McKesson, Patterson, Patton, Phillips, Roland, Sharpe, Sherrill, Shipp, Turner, Vance, Wright and Yancey—30.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, Blow, Bryant, Bullock, D. F. Caldwell, Craven, Daniel, Dargan, Daughtry, Davenport, Dortch, Dunn, Gorrell, G. Green, M. Green, Grist, J. H. Headen, Hill, Jarvis, Jenkins, Johnson, Jones, Lancaster, H. Leach, Long, Lyon, McDuffie, McMillan, Mann, March, Martin, Meares, Mebane, Mordecai, Myers, J. W. Neal, Oglesby, Outlaw, Perkins, Rand, Regan, Rose, Russell, Selby, Settle, Shaw, Shepherd, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams and T. H. Williams—72.

On motion by Mr. J. Barnes, the bill to establish the county of Wilson was taken up and read the second time.

Mr. Bryant submitted the following amendment:

Sec. —. Be it further enacted, That all that portion of Edge-combe county, comprised within the following boundaries, viz: Beginning on Fish creek, where Halifax, Edgecombe and Nash eounties corner, running down the various courses of said creek to where the Wilmington and Raleigh railroad crosses said creek; thence along said railroad to where the proposed line of Wilson county crosses said railroad; thence along said line to the Nash

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county line, be and the same is hereby annexed to, and shall form a part of the county of Nash.

Which was rejected; yeas 28, navs 69.

The yeas and nays demanded by Mr. Bryant.

Those who voted in the affirmative, were,

Messrs. Bryant, D. F. Caldwell, Chadwick, Cotten, Dortch, Flynt, G. Green, Jenkins, Lancaster, McMillan, March, S. J. Neal, Oglesby, Outlaw, Simmons, Sutton, Turner, Vance, Waugh, Whitaker, G. M. White, L. Whitfield, N. B. Whitfield, B. F. Williams, C. W. Williams, T. H. Williams, Wright and Yancev-28.

Those who voted in the negative, are,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Blow, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Carmichael, Cofield, Craven, Daniel, Dargan, Daughtry, Davenport, Dunn, Furr, Garland, Gentry, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Johnson, Jones, H. Leach, J. M. Leach, Long, Love, Lyon, Mann, Martin, Meares, Mordecai, Myers, J. W. Neal, Parks, Perkins, Phillips, Rand, Regan, Rose, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Smallwood, Smith, Stubbs, Thornburg, Watts, J. H. White, Wilkins, D. Williams and S. A. Williams-69.

Mr. Bryant submitted the following amendment:

Provided, a majority of the qualified voters for members of the House of Commons in each of the counties of Edgecombe and Nash shall vote for the division aforesaid, at an election to be held according to the provision of an act to be passed supplemental to this act; which was rejected, and the bill then passed its second reading; yeas 72, nays 23.

The yeas and nays demanded by Mr. Bryant.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Baxter, Blow, Bryson, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cofield, Cook, Daughtry, Davenport, Dortch, Eure, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, A. D. Headen, Holland, Horton, Humphrey, Jarvis, Jenkins, Jones, Lancaster, H. Leach, J. M. Leach, Lyon, McDuffie, McMillan, Mann, Meares, Mordecai, Myers, Norment, Oglesby, Perkins, Phillips, Rand, Regan, Russell, Selby, Settle, Shaw, Sherrill, Shipp, Singeltary, Smallwood, Smith, Steele, Stubbs, Vance, Watts, Waugh, Whitaker, G. M. White, L. Whitfield, Whitlock, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams and Yancey—72.

Those who voted in the negative, were,

Messrs. Amis, Bryant, Bullock, Craven, Dargan, Dunn, G. Green, Harrison, J. H. Headen, Johnson, Long, Martin, J. W. Neal, S. J. Neal, Outlaw, Rose, Shepherd, Simmons, Sutton, Thornburg, Turner, N. B. Whitfield and Wilkins—23.

The rule being suspended, the bill was read the third time, passed, and ordered to be engrossed.

Mr. Shipp moved to reconsider the vote by which was passed the bill to amend an act, entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, and to lay the motion upon the table; the question first being taken upon laying on the table, it was disagreed to: yeas 36, nays 67.

The yeas and nays demanded by Mr. G. Green.

Those who voted in the affirmative, were,

Messrs. Amis, Bogle, Bryson, J. G. Bynum, Carmichael, Dargan, Daughtry, Dunn, Flynt, Gorrell, Hill, Horton, Lancaster, H. Leach, Love, McDuffie, McMillan, Martin, Meares, Myers, J. W. Neal, Patterson, Phillips, Sharpe, Sherrill, Shipp, Singeltary, Vance, Watts, Waugh, J. H. White, Whitlock, Wilkins, C. W. Williams, T. H. Williams and Wright—36.

Those who voted in the negative, were,

Mess. Badham, A. Barnes, J. Barnes, Barringer, Baxter, Blow, Bryant, Bullock, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Cook, Craven, Daniel, Dortch, Eure, Furr, Gentry, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Holland, Humphrey, Jarvis, Jenkins, Johnson, Jones, J. M. Leach, Long, Lyon, McKesson, Mann, March, Mebane, Mordecai, S. J. Neal, Oglesby, Outlaw, Parks, Perkins, Rand, Roland, Rose, Russell, Settle, Shepherd, Simmons, Smallwood, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Walser, Whitaker, G. M. White, L. Whitfield, N. B. Whitfield, B. F. Wılliams, D. Williams, S. A. Williams and Yancey—67.

Mr. Shipp now withdrew his motion to reconsider.

On motion by Mr. Love, the House adjourned to to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 24, 1855.

Mr. Jordan, from the joint select committee on the deaf and dumb and blind asylum, made a report accompanied by a bill, which was read the first time and passed; and

On motion by Mr. Patterson, the report and bill were ordered to be printed.

Mr. J. B. Bynum, from the committee on constitutional reform, to whom was referred a bill to ascertain the will of the free white men of North Carolina on calling a convention, reported the same back to the House, and recommended its rejection.

Mr. Steele introduced a resolution in favor of John W. Garland; the same was read the first time, passed, and referred to the committee on claims.

Mr. Gentry, a resolution in favor of John Crouse, which was read the first time and passed; the rule being suspended, the same was read the second and third time, passed, and ordered to be engrossed.

Mr. Tomlinson, a bill concerning the free passage of fish up Neuse river; the same was read the first time and passed.

The resolution introduced by Mr. Patterson on yesterday, to rescind the resolution devoting the evening sessions exclusively to the consideration of the Revised Statutes, was taken up, and

On motion by Mr. Patterson, laid upon the table.

Mr. Steele moved to take up the unfinished business of Monday, being the bill to incorporate the Wilmington and Charlotte Railroad Company, which was agreed to; yeas 71, nays 38.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Daniel, Dargan, Davenport, Dunn, Eure, Flynt, Furr, Garland, Gorrell, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Holland, Horton, Johnson, Jones, H. Leach, Love, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, Myers, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Patton, Perkins, Phillips, Regan, Roland, Russell, Shaw.

Shepherd, Shipp, Simmons, Smith, Steele, Stubbs, Sutton, Thornburg, Turner, Vance, G. M. White, J. H. White, L. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Wright and Yancey—71.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Craven, Daughtry, Hill, Houston, Humphrey, Jarvis, Jenkins, Jordan, Lancaster, J. M. Leach, Lyon, McDuffie, Martin, J.W. Neal, Rand, Rose, Selby, Settle, Sherrill, Singeltary, Smallwood, Tomlinson, Watts, Waugh, Whitaker, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams and S. A. Williams—38.

The said bill was accordingly taken up, and the same having been heretofore read the third time,

Mr. Meares moved to amend by inserting in the 2d section, after the word "Wilmington," the words "or Smithville;" which was adopted.

Mr. Shepherd submitted the following amendment, which was read and adopted:

Sec. 45. Be it further enacted, That any other Railroad Company incorporated by the General Assembly of this State, shall have leave to make a connection with the said Wilmington and Charlotte Railroad, and at the point or points of connection shall have leave to erect the necessary buildings for receiving and forwarding produce, merchandise and passengers, to be transported on such intersecting road or roads.

Mr. J. G. Bynum submitted the following amendment:

Sec. 45. Be it further enacted, That for the purpose of continuing said road to a point at or near the town of Rutherfordton, the said capital stock of said company shall be increased one million of dollars.

Sec. 46. Be it further enacted, That subscription books to raise said capital stock shall be opened in the town of Charlotte by W. W. Elms, William Johnson, C. J. Fox, Gen. John A. Young, Wm. R. Myers, or a majority of them; at Lincolnton by Henry Cansler, J. F. Hoke, L. D. Childs, J. T. Alexander, B. Johnson, or a majority of them; at Dallas by J. H. White, Andrew Hoyle, David Jenkins, Jasper Stowe, Dr. Wm. Sloan, or a majority of them; at Shelby by Dr. W. J. T. Miller, Dr. Thomas Williams, Charles

Blanton, William Roberts, C. C. Durham, or a majority of them; at Rutherfordton by William H. Miller. Samuel Wilkins, Robt. G. Twitty, J. B. Justice and A. G. Logan, or a majority; and at such other places and by such other persons as a majority of the commissioners in the town of Charlotte may direct; which said subscriptions shall be made under the same conditions and restrictions as are prescribed in the preceding sections of this act.

47. Be it further enacted, That as soon as the amount of one-third of said increased capital stock shall be paid in and expended in the construction of said road from Charlotte to Rutherfordton, and when the company shall have complied with the terms and conditions in every particular, as prescribed in the 36th, 37th, 38th, 39th, 40th, 41st, 42d, 43d and 44th sections of this act, then the public treasurer shall endorse the bonds of the company for the remaining two-thirds of the increased capital, under the same restrictions, liabilities and conditions as prescribed in the said before recited sections of this act.

48. Be it further enacted, That the subscriptions authorized in the 46th section of this act, shall be solely for the continuation of the road from Charlotte to a point at or near Rutherfordton, and shall be expended for no other purpose whatever; and if the said one-third amount of the increased capital stock is not raised, the said Wilmington and Charlotte Railroad Company shall be under no obligation to continue said road beyond the town of Charlotte.

49. Be it further enacted, That the said extension from Charlotte to Rutherfordton, shall be located by the stockholders who shall subscribe for said extension, and that it shall be the duty of the said Wilmington and Charlotte Railroad Company to cause the road to be constructed upon the route located by said stockholders.

Which amendment was adopted; yeas 64, nays 31.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Baxter, Bogle, Bryson, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Carmichael, Chadwick, Cook, Cotten, Daniel, Dargan, Dunn, Eure, Flynt, Furr, Garland, Gentry, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis,

Jones, Jordan, Lancaster, Long, Lyon, McDuffie, McMillan, Mann, Meares, Myers, Oglesby, Patton, Perkins, Regan, Roland, Selby, Sharpe, Shaw, Sherrill, Shipp, Smallwood, Smith, Vance, Watts, G. M. White, J. H. White, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, T. H. Williams and Wright—64.

Those who voted in the negative, were,

Messrs. A. Barnes, Blow, Bryant, D. F. Caldwell, Claven, Daughtry, Davenport, Gorrell, Jenkins, Johnson, H. Leach, J. M. Leach, Martin, Mebane, Mordecai, J. W. Neal, S. J. Neal, Rand, Rose, Russell, Settle, Simmons, Steele, Sutton, Thornburg, Tomlinson, Waugh, Whitaker, L. Whitfield, Whitlock, D. Williams and S. A. Williams—31.

The question now recurring upon the passage of the bill as amended, its third reading, it was passed; yeas 65, nays 48.

The yeas and nays demanded by Mr. Dargan.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Dargan, Daughtry, Dunn, Eure, Furr, Garland, Gentry, Garrell, G. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Holland, Horton, Houston, Humphrey, Jarvis, Johnson, Jones, Jordan, H. Leach, Love, McDuffie, McKesson, McMillan, Mann, Meares, Myers, J. W. Neal, Norment, Oglesby, Patton, Perkins, Regan, Roland, Russell, Selby, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Steele, Sutton, Vance, G. M. White, J. H. White, N. B. Whitfield, Wilkins, B. F. Williams, T. H. Williams and Wright—65.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Craven, Daniel, Davenport, Flynt, M. Green, Hill, Jenkins, Lancaster, J. M. Leach, Long, Lyon, March, Martin, Mebane, Mordecai, S. J. Neal, Outlaw, Parks, Phillips, Rand, Rose, Settle, Simmons, Singeltary, Smallwood, Smith, Stubbs, Thornburg, Tomlinson, Turner, Watts, Waugh, Whitaker, L. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams and Yancey—48.

Ordered that said bill be engrossed.

The unfinished business of yesterday was now taken up, being the bill to amend the constitution of North Carolina, and the pending amendment, which amendment the Speaker ruled out of order.

Mr. Baxter appealed from the decision of the Speaker, and the House sustained the decision.

Mr. Mebane submitted the following amendment:

"Every free white man of the age of twenty-one years, who has been an inhabitant of the State for twelve months immmediately preceeding the day of any election, and shall have paid a public tax, shall be entitled to vote for a member of the Senate, for the district in which he resides."

Pending the consideration of which,

Mr. Baxter moved that the hour of recess be postponed until the vote be taken upon the passage of the bill its first reading.

Upon which he demanded the yeas and nays.

Before the roll was called, the hour arrived and the House took a recess until three o'clock, P. M.

Three o'clock, P. M.

The resolution to rescind the resolution restricting the business of the evening sessions to the consideration of the Revised Statutes; was,

On motion by Mr. Patterson, taken from the table and adopted. The House now resumed the consideration of the bill to amend the constitution of the State of North Carolina, and the pending amendment.

The amendment was rejected; yeas 2, nays 104.

The yeas and nays demanded by Mr. Mebane.

Those who voted in the affirmative, were,

Messrs. Horton and Myers.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Blow, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotton, Craven, Daniel, Dargan, Daughtry, Davenport, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, J. M. Leach, Long, Love, Lyon, McDuffie, McKesson, McMillan, Mann, March, Martin, Mebane, Mordecai, J. W.

Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Regan, Roland, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—104,

Mr. Mebane offered the following amendment:

Provided, nothing herein contained shall be so construed as to authorize unnaturalized foreigners to vote for members of the House of Commons; which was rejected: yeas 51, nays 54.

The yeas and nays demanded by Mr. Mebane.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Dargan, Davenport, Eure, Furr, Garland, Gorrell, A. D. Headen, J. H. Headen, Horton, Houston, Jenkins, Johnson, H. Leach, J. M. Leach, Love, McKesson, Mann, March, Mebane, Mordecai, S. J. Neal, Outlaw. Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Wilkins, B. F. Williams, S. A. Williams—51.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Cofield, Cotton, Daughtry, Dunn, Flynt, Gentry, M. Green, Hill, Holland, Humphrey, Jarvis, Jordan, Lancaster, Long, Lyon, McDuffie, McMillan, Martin, Myers, J. W. Neal, Norment, Oglesby, Regan, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, T. H. Williams, Wright and Yancey—54.

The question now recurring upon the passage of the bill its first reading, it was passed, more than the constitutional majority voting therefor.

The yeas and nays demanded by Mr. Jarvis.

Those who voted in the affirmative, were,

Messrs. Speaker, Badham, A. Barnes, J. Barnes, Barringer,

Baxter, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Chadwick, Cofield, Cotten, Dargan, Daughtry, Dunn, Eure, Flynt, Furr, Garland, Gentry, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, J. M. Leach, Long, Love, Lyon, McDuffie, McKesson, McMillan, Mann, March, Martin, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Patton, Regan, Roland, Rose, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Steele, Stubbs, Sutton, Tomlinson, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—89.

Those who voted in the negative, were,

Messrs. Amis, J. G. Bynum, D. F. Caldwell, Carmichael, Cook, Craven, Daniel, Davenport, Gorrell, Harrison, Johnson, Mebane, Patterson, Phillips, Sharpe, Smith, Thornburg and Turner—18.

On motion by Mr. Cofield, the bill to lay off and establish a new county by the name of Henry, was taken up and read the second time, and amended by striking out the word "Henry," and inserting "Cape Fear;" the bill as amended, passed its second reading; yeas 64, nays 38.

The yeas and nays demanded by Mr. Shepherd.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Baxter, Bryant, Bryson, J. B. Bynum, J. G. Bynum, Cofield, Cotten, Dargan, Daughtry, Davenport, Dunn, Flynt, Furr, Garland, Gentry, M. Green, A. D. Headen, Holland, Horton, Houston, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, J. M. Leach, Love, Lyon, McDuffie, McMillan, Meares, Mordecai, Oglesby, Parks, Patton, Regan, Roland, Rose, Settle, Sharpe, Shaw, Sherrill, Simmons, Singeltary, Smallwood, Tomhnson, Vance, Watts, Waugh, Whitaker, G. M. White, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—64.

Those who voted in the negative, were,

Messrs. Amis, Bogle, Bullock, A. H. Caldwell, D. F. Cald-

well, Carmichael, Cook, Daniel, Gorrell, G. Green, Grist, J. H. Headen, Hill, Johnson, Long, Mann, March, Martin, Mebane, Myers, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Russell, Shepherd, Shipp, Smith, Steele, Stubbs, Sutton, Thornburg, Turner, J. H. White, L. Whitfield, Whitlock and C. W. Williams—38.

On motion by Mr. Whitaker, the House adjourned to to-morrow morning 10 o'clock.

THURSDAY, JANUARY 25, 1854.

On motion by Mr. S. A. Williams, the vote by which the report of the joint select committee on the Deaf, Dumb and Blind Asylum was ordered to be printed, was reconsidered; and on his motion the same was sent to the Senate with a proposition to print.

The Speaker laid before the House a communication from his Excellency, the Governor, transmitting a propositon from W. A. Jones, (sculptor) of New York, on the subject of repairing and restoring the statue of Washington by Canova; and on motion of Mr. J. B. Bynum, the same was sent to the Senate.

The Speaker also laid before the House a message from his Excellency, the Governor, concerning the public arms, accompanied by the report of the Adjutant General.

On motion by Mr. Steele, the same was sent to the Senate with a proposition to refer to the committee on military affairs.

Mr. Humphrey presented memorials from citizens of Onslow county, to prohibit the sale of spirituous liquors within two miles of the Richlands Male and Female Academy, which was referred to the committee on education.

Mr. Shepherd, from the committee on finance, to whom was recommitted the engrossed bill to make compensation to justices of the peace for taking the lists of taxable property, with instructions to report an amendment giving to the magistrates of each distrct, that shall take the tax list therein, one per cent. of all the taxes that shall be levied on the property that may be listed before the magistrate; and to amend the act giving compensation to sheriffs, so that they shall receive only five per cent. for collecting the taxes instead of six per cent. as the law now provides, re-

ported a bill for that purpose, and recommended that it do not pass, stating sundry reasons for the same.

Mr. Shepherd, from the same committee, under the resolution instructing them to inquire into the expediency of selling the State lots in and near the city of Raleigh, reported a bill to authorize the sale of the State lots near the city of Ralcigh, which was read the first time and passed.

Mr. Shepherd, from the committee to whom was referred a bill, to authorize justices of the peace to correct errors in the enlistment of taxables, reported the same back to the House and recommended that it do not pass.

And also, a bill to amend the 36th section of an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, passed at the session of 1852, and recommended its passage.

Mr. Baxter, from the committee on the judiciary, to whom was recommitted a bill to amend an act passed at the session of the Legislature of 1850-251, entitled an act to incorporate the McDowell and Yancey Turnpike Company, reported a substitute, and recommended its passage.

Mr. Dortch, from the same committee, to whom was referred the bill concerning settlement of estates, reported the same back to the House and recommended that it do not pass.

Mr. Dortch, from the same committee, reported back to the House the resolution instructing them to enquire into the propriety of requiring the chairman of each county court, to furnish the secretary of State, the exact boundaries of his county, and the resolution instructing them to enquire into the expediency of passing a law to prevent the destruction of life and property on railroads, and asked to be discharged from their further consideration.

Mr. Settle, from the committee on claims, to whom was referred a bill to amend an act entitled an act, to incorporate the Jonathan's Creek and Mountain Turnpike Company, in the county of Haywood, passed at the session of 1846–'7, reported the same back to the House and recommended its passage.

Mr. Lancaster, from the committee on private bills, to whom was referred a bill accompanied by a memorial, to emancipate Margaret and Mary Elizabeth, slaves, reported the same back to the House and recommended that it do not pass.

Mr. Shepherd presented a memorial from citizens of Cumberland county, against dividing said county in a certain way, which lies upon the table.

Mr. Meares introduced a bill to cede to the United States a tract of land near Wilmington,

Which was read the first time, passed and referred to the committee on the judiciary.

Mr. Mann, a bill to incorporate the Pasquotank and Perquimons Plankroad Company.

The same was read the first time, passed and referred to the committee on internal improvements.

Mr. Oglesby, a bill to extend the corporate limits of the town of Beaufort;

Which was read the first time, passed and referred to the committee on corporations.

Mr. C. W. Williams, a bill to authorize the Governor to furnish weights and measures to Yadkin county.

The same was read the first time and passed.

Mr. March, a bill to authorize Alexander M. Booe, sheriff of Davie county, to collect arrears of taxes due him, and the same extended to the collection of taxes due to W. B. March;

Which was read the first time, passed and referred to the committee on private bills.

On motion by Mr. Jenkins, the resolution in favor of W. H. Windsor, was taken up and read the second time and passed.

The rule being suspended, the same was read the third time, passed and ordered to be engrossed.

On motion by Mr. Sharpe, the bill for the relief of the citizens of Iredell county, was taken up and read the second time and passed; the rule being suspended it was read the third time, passed, and ordered to be engrossed; and

On motion by Mr. Sharpe, the rule was suspended, so as to send the bill immediately to the Senate.

On motion by Mr. Amis, the resolution in favor of John B. Debnam, was taken up and re-committed to the committee on claims.

On motion by Mr. Singeltary, the House now proceeded to the consideration of the bill to increase the revenue of the State; the bill having been before read the second time, the House now

agreed to read the bill by sections for amendment. Whereupon,

On motion by Mr. Singeltary, the House resolved itself into committee of the whole to consider the same, Mr. Singeltary in the chair.

The committee rose, reported progress, and asked to sit again. The House now adjourned to to-morrow morning 10 o'clock.

FRIDAY, JANUARY 26, 1855.

Mr. Houston presented a memorial from citizens of Duplin county on the subject of the liquor traffic, which was read and referred to the committee on propositions and grievances.

Mr. Settle, from the committee on claims, to whom was referred the resolution in favor of John W. Garland, reported the same back to the House, and recommended its passage.

Also the resolution in favor of Reuben Watts, sheriff of Alexander county, with an amendment, and recommended its passage.

Mr. Bullock submitted the following resolution:

Resolved, That from and after to-day the House meet in session at 3 P. M., and continue until 6 P. M.

Which was read, and Mr. J. M. Leach moved to lay the resolution upon the table, which motion was lost; yeas 31, nays 67.

The yeas and nays demanded by Mr. Bullock.

Those who voted in the affirmative, were,

Messrs. Cotten, Craven, Furr, Gilliam, G. Green, A. D. Headen, Houston, Humphrey, Jarvis, Lancaster, J. M. Leach, Love, March, Mordecai, Parks, Perkins, Phillips, Rand, Rose, Shaw, Shipp, Simmons, Singeltary, Steele, Stubbs, Whitaker, D. Williams, S. A. Williams and T. H. Williams—29.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Bogle, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Cook, Daniel, Dargan, Daughtry, Davenport, Dortch, Dunn, Garland, Gentry, Gorrell, M. Green, Harrison, J. H. Headen, Hill, Holland, Horton, Jenkins, Johnson, Jordan, H. Leach, Long, Lyon, McKesson, Martin, Mebane, Myers, S. J. Neal, Norment, Oglesby, Patterson, Patton, Regan, Russell, Selby, Settle, Sharpe, Shepherd, Sherrill, Smallwood, Smith, Sutton, Thornburg, Tomlinson, Vance, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, Whit-

lock, B. F. Williams, C. W. Williams, Wright and Yancey—68.
The resolution was then adopted.

Mr. Dortch presented the following resolution, which was read and adopted:

Resolved, That a message be sent to the Senate, proposing to raise a committee of two on the part of the Senate, and two on the part of the House, to examine into the business before the two Houses, and report when the General Assembly may adjourn.

Mr. Singeltary presented the following resolution, which was read and adopted:

Resolved, That the treasurer be requested to inform this House what arrangements were made for meeting the State's liabilities in the city of New York on the 31st December last.

Mr. Whitaker introduced a bill to amend an act for the government of the city of Raleigh, which was read the first time and passed; the rule being suspended the same was read the second and third time and passed, and ordered to be engrossed.

On motion by Mr. Whitaker, the rule was suspended, and the bill sent to the Senate.

Mr. Barringer, a bill to punish the fraudulent issue of stock of incorporated companies, which was read the first time, passed and referred to the committee on the judiciary.

Mr. Thornburg, a bill to incorporate the Randolph and Thomasville Turnpike or Plankroad Company; the same was read the first time, passed and referred to the committee on corporations.

Mr. Humphrey, a bill to prohibit the sale of spirituous liquors within two miles of Richland Academies, in the county of Onslow, which was read the first time; passed and referred to the committee on education.

Mr. Yancey, a bill to incorporate the Sulphur Spring Plankroad or Turnpike company, in Madison and Buncombe counties, which was read the first time, passed and referred to the committee on corporations.

Mr. J. G. Bynum, from the select committee on the Geological Survey of the State, made a report on that subject with resolutions attached.

On motion by Mr. Barringer, the report and resolutions were ordered to be printed.

The Speaker announced the unfinished business of yesterday, being the bill to increase the revenue of the State, would now be taken np, and thereupon, on motion of Mr. D. F. Caldwell, the House resolved itself into committee of the whole to consider the same.

After considering said bill the balance of the day, the committee rose, and the Speaker resumed the chair.

Mr. Singeltary reported progress, and asked leave to sit again, which report was concurred in.

On motion by Mr. Gilliam, the House adjourned to to-morrow morning, 10 o'clock.

SATURDAY, JANUARY 27, 1855.

Received from the Senate a message, concurring in the proposition to appoint a committee of two on the part of each House, to examine the business before them, and report a time for adjournment; and informing that Messrs. McDowell and Haughton form the Senate branch of said committee, and the Chair appointed Messrs. Gorrell and Settle, on the part of the House.

Mr. Patterson presented a memorial from citizens of Caldwell county, concerning a public road; the same was referred to the committee on internal improvement.

Mr. Humphrey, from the committee on education, to whom was referred a bill to prohibit the sale of spirituous liquors within two miles of Richland Academies, in the county of Onslow, reported the same back to the House, and recommended its passage.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred a bill providing for the surveying and making out the dividing line between Duplin and Sampson counties, reported the same back to the House, with an amendment, and recommended its passage,

Also, unfavorably a bill to enlarge the jurisdiction of justices of the peace.

Mr. Waugh, from the same committee, to whom was referred a memorial to lay off a public road in Wilkes county, and sundry memorials to change the time of holding the county courts of Beaufort, reported the same back to the House, and asked to be discharged from their further consideration; which reports were concurred in.

Mr. Cansler, from the committee on internal improvement, reported favorably the bill to incorporate the Lockville and Cumberland Plankroad Company; and

The bill to alter and amend an act passed by the General Assembly at the session of 1848-'9, entitled an act to incorporate the Fayetteville and Western Plankroad Company; and

Unfavorably upon the petition for a public highway in the county of Watauga; which latter report was concurred in.

Mr. Yancey, from the same committee, to whom was referred a bill to incorporate the Albemarle and Norfolk Railroad Company, reported the same back to the House, and recommended its rejection.

Mr. Mcbane introduced a bill to fix and settle the dividing line between the counties of Chatham and Alamance; which was read the first time and passed.

Mr. G. Green, a bill to authorize Jas. W. Chadwick, late sheriff of Craven county, to collect arrears of taxes; which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. Barringer, a bill to incorporate the Excelsior Gold Mining Company, in Cabarrus county; the same was read the first time, passed, and referred to the committee on corporations.

Mr. Yancey, a bill to lay off and improve a public road from Forks of Ivy to the top of the dividing ridge in Madison county; which was read the first time and passed.

Mr. L. Whitfield, a bill to establish a toll bridge across Neuse River; which was read the first time and passed.

Mr. Martin, a bill to extend the corporate limits of the town of Franklinton, in Franklin county; which was read the first time and passed: the rule being suspended, the same was read the second and third time, passed, and ordered to be engrossed.

Mr. Gentry, a bill to lay off a public road in Ashe county; the same was read the first time, passed, and referred to the committee on internal improvement.

The Speaker laid before the House a message frem the Senate, transmitting the following engrossed bills and resolution, in which they ask the concurrence of the House:

A bill concerning the Fayetteville and Centre Plankroad Company;

A bill to incorporate the New River Navigation Company;

A bill to recharter the Bank of Cape Fear;

A resolution directing the Literary Board to loan money to the Clinton Female Institute; and

A bill to incorporate the Western North Carolina Railroad Company.

On motion of Mr. Love, the engrossed bill to incorporate the Western and North Carolina Railroad Company, was read the first time and passed.

Mr. Barringer moved that said bill be made the special order of the day for Tuesday next, at 11 o'clock, and to continue the special order from day to day, until finally disposed of.

Mr. Jordan moved to amend the motion, by substituting Monday week.

Mr. Outlaw moved to lay the original motion and amendment upon the table; which was disagreed to: yeas 40, nays 60.

The yeas and nays demanded by Mr. Barringer.

Those who voted in the affirmative, were,

Messrs Amis, Badham, J. Barnes, Blow, Bryant, J. B. Bynum, Daniel, Dargan, Daughtry, Davenport, Eure, Grist, Houston, Jarvis, Jenkins, Jones, Jordan, Long, McDuffie, Mann, Martin, Myers, Outlaw, Perkins, Rand, Russell, Selby, Singeltary, Smallwood, Smith, Stubbs, Thornburg, Tomlinson, Watts, Whitaker, G. M. White, Whitlock, Wilkins, C. W. Williams and S. A. Williams—40.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Craven, Dortch, Dunn, Furr, Garland, Gorrell, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Johnson, Lancaster, H. Leach, J. M. Leach, Love, McKesson, March, Mebane, Mordecai, J. W. Neal, S. J. Neal, Norment, Oglesby, Parks, Patterson, Patton, Phillips, Regan, Roland, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Steele, Sutton, Turner, Vance, Waugh, J. H. White, L. Whitfield. T. H. Williams, Wright and Yancey—60.

So the House refused to lay the motion upon the table, and the question recurring upon the amendment submitted by Mr. Jordan, it was rejected.

Mr. Barringer now modified his motion so as to make said bill the special order for Tuesday next, at 11 o'clock, and the same was adopted.

On motion by Mr. Outlaw, the House resolved itself into comnuittee of the whole, to consider the bill to increase the revenue of the State, Mr. Singeltary in the Chair.

After some time being spent in considering said bill, the committee rose, the Speaker resumed the Chair, and Mr. Singeltary on behalf of the committee, reported the bill back to the House, with sundry amendments, and asked to be discharged;

Which report was concurred in, and the several amendments adopted by the House.

Mr. J. G. Bynum submitted the following amendment, which was adopted:

In section 40, line 7, insert after the word "reward," "and every person who lectures for reward."

Mr. J. B. Bynum submitted the following amendment, which was adopted:

Sec. 126. Be it further enacted, That it be the duty of the sheriff to specify in his receipts the amount of State tax, and also the amount of county tax separately.

Mr. Vance submitted the following amendment, which was rejected:

Sec. 21. Be it further enacted, That all persons engaged in traffic in ready-made clothing, not the manufacture of this State, shall pay a tax of one per centum, on every hundred dollars of capital invested in such traffic.

The capital aforesaid, shall be the aggregate sum of the purchases made within the year preceding the first day of April, and this tax shall be paid inaddition to any State tax which such individuals may pay.

Mr. J. W. Neal submitted the following amendment, which was rejected:

To the 7th section add,

And provided further, That the tax under this section, shall

be levied and collected only where the heirs or legatees shall at the time of such devise or bequest, be now residents of this State.

The said bill as amended, now passed its second reading.

' On motion by Mr. S. A. Williams, the rule was suspended, and the bill put upon its third reading; and

On motion by Mr. Outlaw, the further consideration of said bill was postponed and made the special order of the day for Monday next at 11 o'clock, A. M.

The Speaker laid before the House messages from the Senate transmitting the following engrossed bills, in which they ask the concurrence of the House:

A bill concerning widows;

A bill concerning sheriffs;

A bill concerning University;

A bill concerning limitations;

A bill concerning registers;

A bill concerning processioning;

A bill concerning secretary of State;

A bill concerning treasurer;

A bill concerning pilots;

A bill concerning the completion of the N. C. Railroad;

A bill concerning militia;

A bill concerning justices of the peace;

A bill concerning oaths;

A bill concerning insolvent debtors;

A bill concerning roads, ferries and bridges; and

A bill concerning slaves and free persons of color.

The Speaker also laid before the House a message from the Senate, informing that they have agreed to the amendment proposed by the House to the bill concerning mines, and thereupon it was ordered that said bill be enrolled.

The following engrossed bills were severally read the first time and passed; the rule being suspended, they were read the second and third time, passed, and ordered to be enrolled.

A bill concerning justices of the peace;

A bill concerning slaves and free persons of color;

A bill concerning roads, ferries and bridges;

A bill concerning University;

A bill concerning secretary of State;

A bill concerning treasurer;

A bill concerning widows; and

A bill concerning sheriffs.

The engrossed bill concerning militia, was read the first time and passed; the rule being suspended, the same was read the second time, when Mr. Singeltary moved to strike out all after the enacting clause, and insert "that the militia system of this State be, and the same is hereby abolished."

Which was rejected; yeas 28, nays 46.

The yeas and nays demanded by Mr. Dargan.

Those who voted in the affirmative, were,

Messrs. Baxter, Blow, A. H. Caldwell, D. F. Caldwell, Gilliam, G. Green, M. Green, A. D. Headen, Humphrey, Jarvis, Jenkins, Love, McDuffie, Mann, Myers, S. J. Neal, Oglesby, Parks, Patton, Roland, Shaw, Sherrill, Simmons, Singeltary, Stubbs, Vance, Waugh and G. M. White—28.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Bogle, Bryson, J. B. Bynum, Cansler, Chadwick, Craven, Daniel, Dargan, Davenport, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, J. H. Headen, Hill, Holland, Horton, Houston, H. Leach, McKesson, March, Martin, J. W. Neal, Norment, Patterson, Phillips, Regan, Russell, Selby, Settle, Sharpe, Shepherd, Smallwood, Thornburg, Turner, J. H. White, Whitlock, Wilkins, C. W. Williams, Winston, Wright and Yancey—46.

On motion by Mr. Geo. Green, the House adjourned to Monday morning, 10 o'clock.

MONDAY, JANUARY 29, 1855.

Mr. Steele, from the committee on corporations, reported favorably a bill to incorporate the Randolph and Thomasville Turnpike or Plankroad company;

Also, a bill to incorporate the Sulphur Spring and Paint Rock Turnpike Company;

And also, a bill to extend the corporate limits of the town of Beaufort.

And unfavorably a bill to incorporate the Salem Society for the protection of property; Which latter report and bill were, on motion of Mr. Waugh, laid upon the table.

Mr. A. H. Caldwell, from the same committee, to whom was referred a bill to incorporate the Excelsior Gold Mining Company, in Cabarrus county, reported the same back to the House, with an amendment, and recommended its passage.

Mr. T. H. Williams, from the committee on education, to whom was referred a bill to establish State Agricultural Normal Schools in each Congressional district in North Carolina, reported the same back to the House, and recommended that it do not pass.

Mr. Houston introduced a bill to establish the town of Magnolia, in the county of Duplin, and to incorporate the commissioners thereof;

Which was read the first time and passed; the rule being suspended, the same was read the second and third time, passed and ordered to be engrossed.

The Chair announced the following committee on enrolled bills, to wit: Messrs. Barringer, Long, Stubbs, Steele and Gentry.

Mr. Patton introduced a bill to correct errors committed in making entries of land assigned to the use of the Western Turnpike road;

Which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. T. H. Williams, a bill concerning the board of literature; Which was read the first time, passed and referred to the committee on education.

Mr. Patterson, a bill to appoint commissioners to lay off and improve the public road leading from Brown's ford on the Yadkin, in Wilkes county, to Witherspoon's ford in Caldwell county.

The same was read the first time and passed,

Mr. Shipp, a bill to authorize M. H. Kilpatrick, sheriff of Rutherford county, to collect arrears of taxes due him;

Which was read the first time and passed.

Mr. Houston, a bill to incorporate the trustees of the Warsaw Male High School, in Duplin county;

Which was read the first time, passed and referred to the committee on corporations.

Mr. Love submitted the following resolution, which was read and adopted:

Resolved, That his Excellency, the Governor, be requested to communicate to this House, all the information which he may have in his possession, in relation to the Western Turnpike Road, its cost per mile, the amount of revenue it produces, and the amount of funds still on hand, not required for the completion of said road, the manner in which it is kept up, and by what authority toll gatherers are appointed.

Mr. J. B. Bynum moved that the rule be suspended, so as to take up the engrossed bill to amend the constitution of the State, upon which he demanded the yeas and nays, which were ordered, and resulted as follows; yeas 53, nays 51.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Blow, Bryant, J. B. Bynum, Cansler, Dargan, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, Harrison, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, Long, McDuffie, March, Martin, Myers, J. W. Neal, Oglesby, Regan, Roland, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Sutton, Watts, Waugh, Whitaker, J. H. White, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams and Wright—53.

Those who voted in the negative, were,

Messrs. Amis, Badham, Barringer, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Cook, Cotten, Craven, Daniel, Davenport, Furr, Gilliam, Gorrell, Grist, A. D. Headen, J. H. Headen, Horton, Johnson, H. Leach, J. M. Leach, Love, McKesson, McMillan, Mann, Mebane, S. J. Neal, Norment, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Russell, Sharpe, Shipp, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, G. M. White, T. H. Williams, Winston and Yancey—51.

Two-thirds of the members present not voting in the affirmative, the motion to suspend the rule was lost.

The hour having now arrived, under the special order, the House proceeded to the consideration of the bill to increase the revenue of the State, which was read the third time, and

Mr. Singeltary moved to amend the 2d section, 3d line, by stri-

king out the word "twelve," and inserting "twenty-five," and asked for a division of the question; the question being first taken upon striking out, it was determined in the negative; yeas 3, nays 107.

The yeas and nays demanded by Mr. Cook.

Those who voted in the affirmative, were,

Messrs. Daughtry, Gilliam and Singeltary-3.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Cotten, Craven, Daniel, Davenport, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, J. M. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, Mebane, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, G. M. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancev-107.

Mr. J. M. Leach submitted the following amendment:

In 3rd line, 2nd section, strike out "twelve" and insert "ten." Mr. McKesson called for a division of the question—and the question first being taken upon striking out, the House refused to strike out; yeas 26, nays 77.

The yeas and nays demanded by Mr. Daughtry.

Those who voted in the affirmative were,

Messrs. A. Barnes, Daughtry, Harrison, Holland, Horton, Humphrey, Jenkins, Jones, Lancaster, H. Leach, J. M. Leach, Love, Mann, March, Martin, Perkins, Rose, Russell, Settle, Thornburg, Tomlinson, Waugh, J. H. White, C. W. Williams, Winston and Yancey—26.

Those who voted in the negative, were,

Messrs. Amis, Badham, Barringer, Baxter, Black, Blow, Bo-

gle, Bryant, Bryson, Bullock, J. B. Bynnm, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Cotton, Craven, Daniel, Davenport, Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, A. B. Headen, J. H. Headen, Hill, Houston, Jarvis, Johnson, Jordan, Long, McKesson, McMillan, Meares, Mebane, Mordecai, Myers, Norment, Oglesby, Outlaw, Patterson, Patton, Phillips, Rand, Regan, Roland, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Steele, Stubbs, Sutton, Turner, Vance, Whitlock, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, S. A. Williams, T. H. Williams and Wright —77.

The hour having now arrived under the rule, the House took a recess until three o'clock, P. M.

Three o'clock, P. M.

The House now resumed the consideration of the bill to increase the revenue of the State.

Mr. J. B. Bynum submitted the following amendment:

After the word "columns" in the 9th line, section 77, insert "specifying separately the amount of the State and county tax for which he is liable."

Mr. J. G. Bynum offered the following as a substitute; which was accepted:

In section 77, strike out in lines 5 and 6, "which tax list shall also contain a list of the county and poor taxes,,' and insert "which tax list shall contain the public tax, or tax payable to the public treasurer, and the taxes imposed by the justices of the county court, separate and distinct from each other."

Mr. Barringer offered the following amendment to the pending amendment:

And that the Treasurer of the State cause to be sent to the clerks of the several courts of pleas and quarter sessions of the different counties in this State, duplicate printed copies of such statements, to be by said clerks posted in some safe and public place in his office.

Which was accepted, and the amendment, as amended, was adopted.

Mr. Jones submitted the following amendment:

Section 4th, line 3d, strike out the word "forty," as amended and insert "thirty-five."

Which was rejected; yeas 34, nays 64.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, Bryant, Bullock, J. B. Byrum, Cansler, Daniel, Flynt, Harrison, Hill, Holland, Horton, Humphrey, Jones, H. Leach, J. M. Leach, Long, Mann, Martin, Mordecai, Patton, Perkins, Rose, Selby, Shaw, Smith, Stubbs, Watts, Waugh, Whitaker, G. M. White, N. B. Whitfield, C. W. Williams and Winston—34.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Black, Blow, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daughtry, Davenport, Dortch, Dunn, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, M. Green, A. D. Headen, J. H. Headen, Houston, Jarvis, Johnson, Jordan, Lancaster, McDuffie, McKesson, McMillan, March, Mebane, Myers, S. J. Neal, Norment, Oglesby, Phillips, Rand, Regan, Roland, Russell, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Steele, Sutton, Thornburg, Turner, Vance, J. H. White, L. Whitfield, Whitlock, Wilkins, B. F. Williams, S. A. Williams, T. H. Williams, Wright and Yancy—64.

Mr. Jones offered the following amendment :

In section 20th, in the 4th line, strike out after the word "capital," to the word "on" in the 8th line.

Which was rejected; yeas 37, nays 70.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. Amis, Bryson, Bullock, Cansler, Cotten, Daniel, Davenport, Flynt, Furr, Gilliam, M. Green, A. D. Headen, Hill, Holland, Houston, Jarvis, Jones, Lancaster, Long, Love, Mann, March, Martin, Mordecai, Patton, Roland, Rose, Settle, Sherrill, Watts, Waugh, Whitaker, G. M. White, N. B. Whitfield, C. W. Williams, S. A. Williams and Wright—37.

Those who voted in the negative, were,

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Messrs. Badham, Barringer, Baxter, Black, Blow, Bogle, Bryant, J. B. Lynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmici, ael, Chadwick, Cook, Craven, Daughtry, Dortch,

Dunn, Garland, Gentry, Gorrell, G. Green, Grist, Harrison, J. H. Headen, Horton, Humphrey, Johnson, Jordan, H. Leach, McDuffie, McKesson, McMillan, Mebane, Myers, J. W. Neal, S. A. Neal, Norment, Oglesby, Outlaw, Patterson, Perkins, Phillips, Rand, Regan, Russell, Selby, Sharpe, Shaw, Shepherd, Shipp, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, J. H. White, L. Whitfield, Whitlock, Wilkins, B. F. Williams, T. H. Williams, Winston and Yancey—70.

Mr. Bryson submitted the following amendment: Insert in the 6th line of the 20th section after the word "cordials," "not of the manufacture of this State."

The Speaker ruled the same out of order, and Mr. Bryson appealed from the decision of the chair, and the House decided that the decision of the chair should stand as the decision of the House; yeas \$4, nays 17.

The yeas and nays demanded by Mr. Bryson.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bullock, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Chadwick, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, Gilliam, Gorrell, G. Green, M. Green, Grist, Harrison, J. H. Headen, Hill, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, Lancaster, H. Leach, Long, McDuffie, McMillan, Mann, March, Martin, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Perkins, Phillips, Rand, Regan, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Smith, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Watts, Whitaker, G. M. White, J. H. White, L. Whitfield, Wilkins, B. F. Williams, C. W. Williams, T. H. Williams, Wright and Yancey—84.

Those who voted in the negative, were,

Messrs. A. Barnes, Bryson, Carmichael, Cook, Furr, Holland, Horton, J. M. Leach, Love, McKesson, Patton, Roland, Shipp, Vance, Waugh, Whitlock and S. A. Williams—17.

Mr. J. M. Leach submitted the following amendment, proviso to the 20th section: *Provided*, That no spirituous liquors, wines or cordials of the manufacture of this State shall be taxed.

Which was rejected; yeas 40, nays 69.

The yeas and nays demanded by Mr. J. M. Leach.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Bryant, Bryson, Carmichael, Cook, Craven, Daughtry, Flynt, Furr, Gentry, A. D. Headen, Hill, Holland, Horton, Jones, Lancaster, J. M. Leach, Love, McKesson, March, Martin, Mordecai, Patton, Rand, Roland, Rose, Settle, Sharpe, Sherrill, Shipp, Thornburg, Turner, Vance, Waugh, Whitaker, N. B. Whitfield, Whitlock, C. W. Williams, S. A. Williams and Wright—40.

Those who voted in the negative, were,

Messrs. Aniis, Badham, Barringer, Baxter, Black, Blow, Bogle, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Chadwick, Daniel, Dargan, Davenport, Dortch, Dunn, Eure, Garland, Gilliam, Gorrell, G. Green, M. Green, Grist, J. H. Headen, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jordan, H. Leach, Long, McDuffie, McMillan, Mann, Meares, Mebane, Myers, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Perkins, Phillips, Regan, Russell, Selby, Shaw, Shepherd, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Watts, G. M. White, J. H. White, L. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Winston and Yancey—69.

Mr. J. G. Bynum submitted the following amendments, which were severally adopted:

Insert after 13th section-

Be it further enacted, That the Governor shall appoint in each judicial circuit, one or more commissioners, whose duty it shall be to institute and attend to all suits brought to enforce the collection of the tax laid in section seventh of this act, and to bring suits and take such other steps as may be necessary to enforce the collection of all taxes due and unpaid, which have heretofore been laid on property real and personal, descended or devised to collaterals, by acts of the General Assembly, which said commissioners shall receive such compensation for their services as the Governor may allow.

Be it further enacted, That, in all cases where estates descend or are devised to collaterals or strangers in blood, and where the same shall be divided or settled, or where an attempt is made to divide or settle them, without any lawful administration being had on such estates, shall forfeit and pay the sum of five hundred dollars, to be sued for and recovered in the name of the State, in the superior court of the county where the testator or intestate of such estate shall have had his domicil at the time of his death, said penalty to be accounted for, when collected, as other public taxes.

Be it further enacted, That, whenever any person shall die leaving no lineal descendants, and leaving property liable to the tax imposed by the seventh section of this act, and no administration shall be had on the estate within three months after such death, it shall be the duty of the county court, upon being informed of the fact, to grant administration of the same to the clerk of the county court, who shall administer the same according to the laws of the land, and return an account for the tax according to the preceding sections of this act.

Be it further enacted, That it shall be the duty of the commissioners, heretofore directed to be appointed, to institute suit for all penalties incurred by clerks for failures to collect and account for the tax on collateral descents imposed by this act, and any preceding acts, which penalties shall be accounted for as other of the public taxes.

And in section 12, line 4, strike out "county solicitor," and insert "commissioner for the judicial circuit."

Mr. Jones submitted the following amendment, which was rejected:

Section 20, line 8, after the word "seller," insert, *Provided*, said amount, so employed at any one time, shall not exceed one hundred dollars.

On motion by Mr. Singeltary, the bill was laid upon the table, and the resolution heretofore introduced by him relating to the rules of parliamentary practice, as laid down in Jefferson's Manual, including the previous question, was taken from the table.

After some discussion, on motion by Mr. Settle, the resolution was again laid upon the table.

On motion by Mr. Baxter, the bill to increase the revenue of the State was taken from the table.

Mr. Bullock submitted the following amendment, which was rejected:

In section 35 and in line 3, after the word excepted, strike out the remaining part of the section, and insert, "shall pay an annual tax of ten dollars." Mr. Daniel submitted the following amendment, which was rejected:

Strike out after the enacting clause, "first line, of 20th section," and insert, "that on every merchant, jeweller and merchant tailor, who shall sell goods, wares and merchandize, a tax of one-eighth of one per cent. upon his capital; on every druggist, consignee or agent, selling at wholesale or retail, spirtuous liquors, wines, cordials and segars, not of the manufacture of this State, five per cent. upon the capital so employed, to be paid by the seller; on all spirituous liquors distilled in this State for the purpose of sale, two and a half cents per gallon; on all spirits turpentine distilled, one-fourth cent per gallon, to be paid by the makers thereof."

Mr. Martin submitted the following amendment, which was rejected:

To the 20th section, "of less quantity than one quart."

Mr. C. W. Williams submitted the following amendment:

After the word "seller," in section 20th line 11th, insert, "and that all distillers of spirits of turpentine, shall pay an annual tax of two dollars and fifty cents on every distillery of a capacity of ten barrels and under; and on every distillery of a capacity between ten and fifteen barrels, an annual tax of three dollars and fifty cents; on every distillery of a capacity between fifteen and twenty barrels, an annual tax of five dollars; and on every one of a larger capacity than twenty barrels, an annual tax of ten dollars."

Which amendment was adopted; yeas 67 nays 33.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Carmichael, Cook, Cotten, Craven, Daniel, Davenport, Dortch, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Horton, Houston, Jarvis, Jenkins, Johnson, Jordan, J. M. Leach, Long, Love, McKesson, Mann, Mebane, Parks, Patton, Phillips, Rand, Roland, Selby, Settle, Shepherd, Shipp, Smallwood, Smith, Sutton, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whit-

lock, B. F. Williams, C. W. Williams, S. A. Williams, Winston, Wright and Yancey-67.

Those who voted in the negative, were,

Messrs. Amis, A. H. Caldwell, Cansler, Chadwick, Dargan, Daughtry, Dunn, G. Green, Humphrey, Jones, H. Leach, McDuffie, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Patterson, Regan, Shaw, Sherrill, Simmons, Singeltary, Steele, Stubbs, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield and Wilkins—33.

Mr. J. G. Bynum submitted the following amendment, which was adopted:

Section 20th, in line 15th, after the words "per cent," insert, "upon every auctioneer, one-fourth of one per cent. upon the value of the goods sold by him: *Provided*, That no tax shall be levied upon sales made under an execution or order issuing from any court, or from a justice of the peace, or by any executor, administrator or trustee."

Mr. Settle submitted the following amendment, which was rejected:

To the 25th section, strike out all after the word "State," in the 5th line.

Mr. S. A. Williams submitted the following amendment:

Sec. —. And on all livery stables, an annual tax of ten dollars; which was adopted.

Mr. Barringer moved to reconsider the vote by which was adopted the amendment submitted by Mr. C. W. Williams, taxing turpentine distilleries; which motion was lost.

Mr. Thornburg submitted the following amendment to the bill; which was rejected:

"Clerks of county and superior courts, clerks and masters in equity, and sheriffs."

Mr. G. M. White submitted the following amendment; which was rejected:

Strike out all after the enacting clause, and insert the follow-

"That the following property and estate are hereby exempted from taxation:—1st. All such and the profits thereof, as may belong to the State; 2d. All such and the profits thereof, as have been set apart for the university and colleges, institutes, academies

and schools, for the education of youth, or for the support of the poor or afflicted, or specially appropriated to divine worship; 3d. One hundred dollars worth of land to every voter, if he shall own so much, if not, so much as he may own; all dwelling houses under the value of two hundred dollars; household and kitchen furniture of less value than one hundred dollars; farming and other utensils necessary to carry on the operations of agriculture; all horses, mules, cattle, hogs, poultry, and all other animals, provisions, and other things used by the owner upon his farm; all tools and instruments in use, and necessary to carry on the profession, trade, or handicraft of the owner.

Be it further enacted, That on all estates, and property of every kind, whether real, personal or mixed, that may descend, be devised, bequeathed, or in any manner transferred, and which has not been heretofore exempted, a tax ad-valorem of one-eighth of one per cent. per annum shall be levied and raised in the same manner as public taxes have heretofore been levied and raised: Provided, nothing herein shall affect the poll tax as now raised."

Mr. Davenport submitted the following amendment; which was rejected—to come in at the close of the 20th section:

Be it further enacted, That every single man of the age of 30 years, who shall be worth five thousand dollars, shall pay an annual tax of ten dollars to the State.

The question now recurring upon the passage of the bill, as amended, its third reading, it was passed; yeas 82, nays 24.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Barringer, Baxter, Black, Blow, Bogle, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Craven, Dargan, Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, J. H. Headen, Hill, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jordan, H. Leach, Long, McDuffie, McKesson, Martin, Meares, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Parks, Patterson, Patton, Phillips, Regan, Roland, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Sinmons, Singeltary, Smallwood, Steele, Sutton, Thornburg, Turner, Vance, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, Whit-

lock, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams and Yancey—82.

Those who voted in the negative, were,

Messrs. A. Barnes, Bryant, Cotton, Daniel, Daughtry, Davenport, Eure, Gilliam, Harrison, A. D. Headen, Jones, Lancaster, Love, McMillan, Mann, Rose, Stubbs, Tomlinson, Watts, G. M. White, J. H. White, T. H. Williams, Winston and Wright —24.

Mr. J. G. Bynum now moved to reconsider the vote by which said bill was passed; which was not carried.

The House now adjourned to to-morrow morning 10 o'clock.

TUESDAY, JANUARY 30, 1855.

Mr. Bogle presented a memorial from citizens of Alexander county, praying an amendment to the charter of the town of Taylorsville;

Which was referred to the committee on propositions and grievances.

Mr. Gorrell, from the joint select committee appointed to report a time for adjournment, reported that the committee was unable to fix upon a day certain, and submitted the following resolution, which was adopted:

Resolved, That this House will take a recess from 5½ o'clock till 7 o'clock P. M. from this time till the end of the session, commencing with this day.

Mr. Amis moved to suspend the rule so as to take up the bill to incorporate the Dan River and Yadkin Railroad Company, and make it the special order for a day certain.

Mr. Outlaw moved to amend the motion so as to take up engrossed bills on their third reading; and

Mr Singeltary moved to amend so as to take up all bills asking appropriations.

The question being first taken upon suspending the rule, it was determined in the negative; yeas 50, nays 60.

The yeas and nays demanded by Mr. B. F. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, J. Barnes, Blow, Bullock, J. B. Bynum, D. F. Caldwell, Daniel, Davenport, Dunu, Eure, Flynt, Gentry, M. Green, A. D. Headen, J. H. Headen, Hill, Houston, Humphrey,

Jarvis, Jenkins, Lancaster, Long, McDuffie, McMillan, Martin, Meares, Mebane, J. W. Neal, Norment, Oglesby, Outlaw, Regan, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Turner, Watts, Waugh, Whitaker, N. B. Whitfield, Whitlock, C. W. Williams, S. A. Williams and Winston—50.

Those who voted in the negative, were,

Messrs. Badham, Barringer, Baxter, Black, Bogle, Bryant, Bryson, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cook, Cotten, Craven, Dortch, Furr, Garland, Gilliam, Gorrell, G. Green, Harrison, Holland, Horton, Johnson, Jones, Jordan, H. Leach, J. M. Leach, Love, McKesson, Mann, March, Mordecai, Myers, S. J. Neal, Parks, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Sharpe, Simmons, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Vance, G. M. White, L. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Wright and Yancey—60.

Mr. Jenkins, from the committee on education, to whom was referred a bill concerning the board of literature, reported the same back to the House, and recommended its passage.

On motion of Mr. J. G. Bynum, the bill and report were ordered to be printed.

Mr. Jones submitted the following resolution, which, on motion by Mr. Cook, was laid upon the table:

Resolved, That the finance committee be requested to report a bill supplementary to an act to increase the revenue of the State, declaring the principles upon which said revenue is to be raised, explaining the provisions and operations of the same, as auxiliary to the relief and assistance of the magistrates of the several counties, in taking a list of the same.

Mr. J. G. Bynum submitted the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to examine into the expediency of providing by law, that no conveyance, or instrument of writing purporting to convey title, shall operate as color of title, except from the date of its registration; and that they have leave to report by bill or otherwise.

Mr. Humphrey submitted the following resolution, which, under the rule, lies over one day:

Resolved, That the evening sessions be set apart for the reading of bills upon their first reading, and private bills.

Mr. Phillips introduced a bill to incorporate the Chapel Hill and Durhamville Plankroad and Turnpike Company, which was read the first time and passed.

Mr. Cook, a bill to amend an act, entitled an act appointing commissoners to lay off a road from Salisbury to the Virginia public road at the mouth of Wilson, which was read the first time, passed, and referred to the committee on propositions and grievances.

Mr. L. Whitfield, a bill to incorporate the town of White Hall, in the county of Wayne, which was read the first time, passed, and referred to the committee on corporations.

Mr. Badham, a bill to amend an act, entitled an act to incorporate the town of Edenton, which was read the first time and passed.

Mr. J. H. White, a bill to alter the time of holding the courts in the sixth judicial circuit, which was read the first time and passed.

Mr. T. H. Williams submitted the following resolution, which was read, and

On motion by Mr. Regan, laid upon the table.

Resolved, That the committee of the whole House be discharged from the further consideration of the subject of banks and banking.

Mr. T. H. Williams moved that the House resolve itself into committee of the whole on the subject of banks and banking; which motion Mr. A. H. Caldwell moved to lay upon the table, and the latter motion was carried; yeas 93, nays 16.

The yeas and nays demanded by Mr. T. H. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cook, Cotten, Craven, Daniel, Daughtry, Davenport, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Horton, Houston, Humphrey, Jarvis, Johnson, Jones, Lancaster, H. Leach, J. M. Leach, Long, Love, McDuffie, McKesson, Mann, March, Martin, Mebane, Mordecai,

J. W. Neal, S. J. Neal, Oglesby, Parks, Patterson, Patton, Perkins, Rand, Regan, Roland, Rose, Russell, Settle, Sharpe, Shaw, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Steele, Sutton, Thornburg, Tomlinson, Vance, Watts, Waugh, Whitaker G. M. White L. Whitfold, N. R. Whitfold, Whitlack

ker, G. M. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, Wright and Yancey—93.

Those who voted in the negative, were,

Messrs. Black, Blow, D. F. Caldwell, Gilliam, Jenkins, Jordan, McMillan, Meares, Myers, Norment, Outlaw, Selby, Stubbs, Turner, T. H. Williams and Winston—16.

On motion by Mr. Waugh, the bill to amend the Constitution of the State, was taken up, and made the special order for this evening at a quarter-past 3 o'clock.

The House now proceeded to the consideration of the special order of the day, being the engrossed bill to incorporate the North Carolina and Western Railroad Company.

Mr. Singeltary moved to lay said bill upon the table, and take up appropriation bills from the Senate, upon their first reading; which motion was lost; yeas 32, nays 77.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, A. Barnes, Blow, Bryant, Bullock, Daniel, Daughtry, M. Green, Harrison, A. D. Headen, Hill, Jarvis, Jenkins, Long, Martin, McMillan, McDuffie, Myers, J. W. Neal, Outlaw, Perkins, Rand, Settle, Singeltary, Tomlinson, Waugh, Watts, Whitlock, Winston, S. A. Williams and C. W. Williams—32.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, J. B. Bynum, D. F. Calvwell, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cotten, Cook, Craven, Davenport, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, Grist, J. H. Headen, Holland, Horton, Houston, Humphrey, Johnson, Jones, Jordan, Lancaster, J. M. Leach, H. Leach, Love, March, Mann, McKesson, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Patterson, Parks, Patton, Regan, Roland, Rose, Russell, Shepherd, Shipp, Shaw, Sharpe, Sherrill, Simmons, Smith, Steele, Sutton, Thornburg,

Turner, Vance, G. M. White, J. H. White, N. B. Whitfield, L. Whitfield, Whitaker, Wilkins, B. F. Williams, T. H. Williams, Wright and Yancey—77.

The said bill was now read the second time, when Mr. J. M. Leach submitted the following amendment:

In section 11, line 9, strike out "Salisbury," and insert "Lexington, through the county of Davie."

Pending the discussion thereon, the hour arrived, under the rule, and the House took a recess.

Three o'clock, P. M.

On motion by Mr. Outlaw, the bill to amend the constitution of the State, (being the special order for this evening,) was post-poned, and made the special order for to-morrow, at 11 o'clock, A. M.

The House now resumed the consideration of the bill to incorporate the Western North Carolina Railroad Company; and

The question being taken upon the pending amendment, it was rejected; yeas 33, nays 66.

The yeas and nays demanded by Mr. Cook.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, J. Barnes, Bogle, Bryant, Carmichael, Cook, Craven, Daughtry, Flynt, Gentry, Gorrell, Harrison, Horton, Johnson, J. M. Leach, Long, Mann, March, Mebane, Outlaw, Parks, Patterson, Settle, Singeltary, Thornburg, Tomlinson, Watts, Waugh, Whitaker, N. B. Whitfield, Whitlock and C. W. Williams—33.

Those who voted in the negative, were,

Messrs. Badham, Barringer, Baxter, Black, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Chadwick, Cotten, Dargan, Dortch, Dunn, Eure, Furr, G. Green, M. Green, Grist, J. H. Headen, Hill, Holland, Houston, Humphrey, Jordan, H. Leach, Love, McDuffie, McKesson, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Patton, Phillips, Rand, Regan, Roland, Rose, Russell, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Smallwood, Smith, Steele, Sutton, Turner, Vance, G. M. White, J. H. White, L. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Winston, Wright and Yancey—66.

Mr. Patterson submitted the following amendment; which was adopted—to the end of section 30:

And provided further, That nothing contained in this act shall be so construed as to prevent the intersection of any other railroad authorized by the General Assembly, with the said Western North Carolina Railroad, or the crossing thereof at such point or points as may be deemed most proper, by the authorities of such connecting road, and at such point or points to erect the necessary buildings for receiving and forwarding produce, merchandize, passengers, &c., to be transported on such intersecting road or roads.

Mr. A. H. Caldwell submitted the following amendments; which were severally adopted.

In section 1, line 7, strike out "six millions," and insert "one million two hundred thousand."

In section 25, strike out all after "Road," in line three, and insert "in such amount as may be subscribed by individuals and the State, according to the provisions of this act, in the progressive construction."

In the 3rd section, strike out the name of "Sam'l F. Patterson," and insert that of "Wm. A. Lenoir."

Mr. Patterson submitted the following amendments; which were severally adopted—to come in at the end of section 41, as section 42:

42. Be it further enacted, That it shall be the duty of the public treasurer to enter in a book to be kept for that purpose, a memorandum of such bonds as may be issued by virtue of this act, the numbers, date of issue, when and where payable, to whom issued, or to whom sold, and at what premium, if any, the same was sold by him.

Strike out section 41, and insert the following:

Be it further enacted, That the bonds hereby authorized to be issued shall have coupons attached to them, expressing on the face of them the amount of the semi-annual interest due on such bond, and the said bonds shall and may be transferable by the holders thereof, by delivery only.

At the end of the 3rd section, insert "At Lenoir, under the direction of C. C. Jones, R. B. Bogle, E. P. Miller, W. W. Lenoir and James Harper, or any three of them. At Boone,

under the direction of Jonathan Horton, Jordan Council, George N. Foulks, John Horton and E. F. Clewell, or any three of them."

After the word "appropriate," last line of 3d section, insert the word "generally."

After the recital of the names of the general commissioners add the following:

And books for receiving subscriptions for the capital stock aforesaid, shall be opened at the following places, and under the direction of the following persons, to wit:

Mr. J. M. Leach submitted the following amendment; which was adopted:

After the word Salisbury, insert "by or as near as practicable to Statesville, in the county of Iredell."

Mr. Bogle submitted the following amendment:

In section 2d, line 4th, after the word "by" insert "or as near as practicable to the town of Taylorsville, in the county of Alexander;" which was rejected: yeas 38, nays 63.

The yeas and nays demanded by Mr. Bogle.

Those who voted in the affirmative, were,

Messrs. Blow, Bogle, J. G. Bynum, Carmichael, Cook, Craven, Daniel, Daughtry, Eure, Flynt, Gentry, Gilliam, Horton, Johnson, Jones, H. Leach, J. M. Leach, McKesson, Mann, March, Mebane, Myers, Outlaw, Patterson, Patton, Perkins, Roland, Russell, Sharpe, Smith, Steele, Stubbs, Thornburg, Wøtts, Waugh, Whitlock, B. F. Williams and Winston—38.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Black, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Dortch, Dunn, Furr, Gorrell, G. Green, M. Green, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Humphrey, Jenkins, Jordan, Lancaster, Long, Love, Meares, Mordecai, J. W. Neal, S. J. Neal, Norment, Oglesby, Phillips, Rand, Regan, Rose, Selby, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Sutton, Tomlinson, Turner, Vance, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, C. W. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—63.

Mr. Singeltary submitted the following amendment:

Provided, That the capital stock shall not be increased without the consent of a future legislature,

Pending the consideration of which,

Mr. Outlaw moved that the House adjourn to to-morrow morning, 10 o'clock; and

Mr. B. F. Williams demanded the yeas and nays, which were ordered and taken; yeas 62, nays 42.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Baxter, Black, Blow, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, Cansler, Chadwick, Craven, Daniel, Dargan, Eure, Flynt, Garland, Gentry, Gilliam, G. Green, Harrison, A. D. Headen, J. H. Headen, Hill, Humphrey, Johnson, Jones, J. M. Leach, Love, McKesson, Mann, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Norment, Outlaw, Parks, Patton, Perkins, Rand, Roland, Rose, Russell, Selby, Shipp, Simmons, Steele, Stubbs, Sutton, Thornburg, Turner, Waugh, G. M. White, J. H. White, Wilkins, Winston and Wright—62.

Those who voted in the negative, were,

Messrs. Barringer, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Carmichael, Cook, Daughtry, Dortch, Dunn, Furr, Holland, Horton, Houston, Jarvis, Jenkins, Jordan, H. Leach, Long, McMillan, Myers, Oglesby, Patterson, Phillips, Regan, Sharpe, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Tomlinson, Vance, Watts, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Wiliams, S. A. Williams, T. H. Williams and Yancey—43.

The Speaker now declared the House adjourned to to-morrow morning, 10 o'clock.

WEDNESDAY, JANUARY 31, 1855.

Mr. T. H. Williams presented a memorial from the President and Directors of the Wilmington and Manchester Railroad Company, praying an amendment to the charter of said company;

Which was referred to the committee on the judiciary.

Mr. Holland, a memorial from citizens of Cleveland county, praying for a new county out of portions of the counties of Cleveland, Rutherford, Burke, Lincoln and Catawba;

The same was referred to the committee on propositions and grievances.

Mr. Barringer, from the committee on the judicary, reported unfavorably a bill to punish the fraudulent issue of stock of incorporated companies, and recommended the bill be postponed until the 3d Monday of November, 1856.

Mr. Dorch, from the same committee, to whom was referred a bill to cede to the United States a tract of land near Wilmington, reported the same back to the House, and recommended its passage.

Mr. T. H. Williams, from the committee on education, reported sundry amendments to the engrossed bill concerning the literary fund and common schools, and recommended their adoption.

Said bill was taken up, the same having been heretofore read in the House the second time, and the amendments recommended by the committee were severally adopted.

Mr. Phillips offered the following amendment:

Section 22d, line 2d—Strike out "federal population," and insert "white children between the ages of five and twenty."

On motion by Mr. Singeltary, the bill and amendment were laid upon the table.

Mr. Singeltary submitted the following resolution:

Resolved, 'That the bill concerning the public revenue, which has passed this House, will, if it becomes a law, impose an enormous and unjust burthen on the people of the State; and if such an increase of taxation has become necessary, in order to preserve the credit of the State, it is the legitimate result of reckless and unwise legislation on the subject of internal improvement.

On motion by Mr. Dortch, the resolution was laid upon the table; yeas 78, nays 25.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Jenkins, Johnson, Jordan, H. Leach, McKesson, McMillan, Mann, Meares, Mebane, Mordecai, J. W.

Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Regan, Roland, Russell, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Steele, Sutton, Thornburg, Vance, Whitaker, N. B. Whitfield, Wilkins, B. F. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—78.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Cotten, Daniel, Harrison, Jarvis, Jones, Long, March, Martin, Myers, Rand, Rose, Selby, Singeltary, Tomlinson, Watts, Waugh, G. M. White, L. Whitfield, Whitlock and C. W. Williams—25.

Mr. Singeltary now moved that the resolution be taken from the table, and Mr. Dortch moved to lay the motion upon the table, and the motion to lay upon the table was carried; yeas 76, nays 26.

The yeas and nays demanded by Mr. Cook.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gilliam, Gorrell, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jenkins, Johnson, Jordan, Hugh Leach, J. M. Leach, Love, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Regan, Roland, Russell, Settle, Shaw, Shepherd, Shipp, Simmons, Smallwood, Smith, Steele, Sutton, Thornburg, Turner, Vance, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—76.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Cansler, Cofield, Cotten, Daniel, Daughtry, Harrison, Jones, Long, Martin, Myers, Oglesby, Rose, Sherrill, Singeltary, Tomlinson, Watts, Waugh, Whitaker, G. M. White, Whitlock and C. W. Williams—26.

Mr. Vance introduced a resolution in favor of N. W. Woodfin and R. V. Blackstock, which was read the first time and passed; the rule being suspended, the same was read the second and third time, passed, and ordered to be engrossed.

Mr. Perkins, the following resolution, which lies over:

Resolved, That from and after Thursday the 8th February, there shall not be any bills introduced for the consideration of this House.

Mr. Hill presented the following resolution, which hes over:

Resolved, That no member shall speak longer than 15 minutes on any one subject, except by consent of the House.

The resolution submitted by Mr. Humphrey on yesterday, was taken up and amended so as to read, "that the night sessions be set apart for the reading of bills upon their first reading, and private bills."

Received from the Senate a message, proposing that this General Assembly do adjourn sine die on the 12th day of February next; which,

On motion by Mr Baxter, was laid upon the table.

On motion by Mr. Jenkins, the special order of the day, being the engrossed bill to amend the Constitution of the State of North Carolina, was taken up and read the second time, when Mr. Outlaw submitted the following amendment: Strike out all after the enacting clause and insert:

Whereas, It is believed the people of this State desire a change in the constitution in some respects, leaving the basis of representation in the Senate and the House of Commons unchanged; and whereas, the present General Assembly are anxious to carry into effect their wishes,

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same: That the court of pleas and quarter sessions of each and every county in the State, at the first term which shall be held after the first Monday in March next, shall appoint two inspectors to superintend the polls, to be opened at each and every election precinct in said counties, for ascertaining by ballot, the will of the free white men of North Carolina, relative to a meeting of a State convention, and if any court or courts should fail to make such appointment, or any inspector so appointed, shall fail to act, it shall be the duty of the sheriff, or the person acting as his deputy on such occasion, with the advice of one justice of the peace, or if none be present, with the advice of three free-holders to appoint an inspector or inspectors in the place of him or them, who failed

to act, which inspectors when duly sworn by some justice of the peace or freeholder, to perform his duties with fidelity, shall have the same authority as if appointed by the court.

Be it further enacted, That it shall be the duty of the sheriff of the respective counties in this State, to open polls at the several election precincts in said counties, on the first Thursday of August next, when and where all persons qualified by the constitution of this State to vote for members of the House of Commons, may vote for or against a convention, those who may wish for a convention, voting with a written or printed ticket "convention," and those who do not want a convention, voting "no convention."

Be it further enacted, That it shall be the duty of the sheriffs to make duplicate statements of the polls in their respective counties, sworn to before the clerk of the county court, one copy of which shall be deposited in said clerk's office, and the other copy transmitted to the Governor of the State immediately after the election.

Be it further enacted, That it shall be the duty of the Governor as soon as he shall receive the returns of sheriffs in the presence of the secretary of State, public treasurer and comptroller, to compare the number of votes for and against a convention, and if it shall appear that a majority of the votes polled are in favor of it, he shall forthwith issue his proclamation announcing the result in such of the papers of the State, as he shall think proper, and shall issue a writ of election to every sheriff of the different counties, requiring him to open polls for the election of delegates to the convention at the same places and under the same rules as are now prescribed by law for other State elections, on the 15th day of October next.

Be it further enacted, That the same persons who may be appointed to hold the polls in taking the vote on convention, shall hold them for delegates: Provided, That if any such inspectors shall fail to attend or act, the sheriffs or their deputies shall supply their places in the manner heretofore provided.

Be it further enacted, That the several county courts shall allow the sheriffs the same compensation for holding said elections, that they usually allow for holding other State elections. And if any sheriff or other officer appointed to hold said elections shall

fail to comply with the requisitions of this act, he shall be liable to a fine of one thousand dollars, recoverable before any competent jurisdiction, to the use of the county whose officer he is; and it shall be the duty of the county solicitor to prosecute such suits.

Be it further enacted, 'That all persons qualified by the constitution to vote for members of the House of Commons, shall be entitled to vote for delegates to the convention, and all naturalized citizens of the United States, who shall have resided in the State for five years, shall be eligible as delegates to said convention; provided, that he shall have resided in the county from which he is chosen, at least twelve months immediately preceding the day of the election.

Be it further enacted, That each county shall be entitled to the same number of delegates that it is entitled to members of the House of Commons.

Be it further enacted, That if any vacancy shall occur in any county delegation, by death or otherwise, the Governor shall forthwith issue a writ of election to fill such vacancy. And the delegates shall convene in the city of Raleigh on the first Monday of November next, and provided a quorum does not attend on that day, the delegates may adjourn from day to day until a quorum is present, and a majority of the whole number of delegates shall be necessary to constitute a quorum to do business.

Be it further enacted, That no delegate elect shall be permitted to take a seat as a member of the convention, until he shall have taken and subscribed the following oath or affirmation:—"I, A. B, do solemnly swear or affirm, (as the case may be) that I will support the constitution of the United States, and that I will not directly or indirectly evade or disregard the limits fixed to this convention by the people of North Carolina, as set forth in an act entitled 'an act concerning a convention to consider of amendments to the constitution,' passed by the General Assembly at its session, begun and held in the city of Raleigh, on the third Monday of November, 1854, which was ratified by the people; and that I will faithfully discharge my duty according to the best of my skill and ability, so help me God."

Be it further enacted, That the public treasurer be, and he is hereby authorized to pay, upon the warrant of the Governor,

such sums of money as may be necessary for the contingent charges of the convention, and also to pay to each member of the convention two dollars a day during his attendance thereon, and five cents per mile for every mile he may travel by the most usual route, to and from the convention.

Be it further enacted, That it shall be the duty of the Governor, immediately after the ratification of this act, to transmit a copy to each county court clerk in the State, and to cause it to be published in the newspapers of the State for two months preceding the voting for, and against, the convention.

Be it further enacted, That it shall be submitted to the people for their assent or dissent, the former of which shall be understood as expressed by the votes "Convention," and the latter "No Convention," at the time and in the mode hereinbefore provided, whether they desire a convention to consider of all amendments to the constitution, with the exception that no change shall be made in the basis of representation, either of the Senate or House of Commons, as fixed by the Convention of 1835: And provided further, That, if any change shall be made in the present mode of taxation, they shall so frame the constitution that no slaves, except those between the ages of 12 and 50 years, shall be subject to taxation, and that no higher taxes shall be imposed on slaves than upon other property. And the said Convention shall adopt ordinances for carrying into effect the amendments which may be made, and shall submit such amendments to the determination of all the qualified voters of the State; but they shall not alter the basis of representation, either in the Senate or House of Commons, nor propose any amendment thereof.

Be it further enacted, That, if a majority of voters at the first election directed to be held by this act, shall be found for "Convention," it shall be considered and understood that the people, by their vote as aforesaid, have conferred on the delegates to said convention the power to consider and make alterations and amendments, except in particulars herein provided, and with limitations and restrictions by this act imposed.

Be it further enacted, That the said convention, after having adopted amendments to the constitution, shall prescribe some mode for the ratification thereof by the people, and shall prescribe all

necessary ordinances and regulations for the purpose of giving full operation and effect to the constitution as amended and altered.

Mr. Winston offered he following amendment to the said

Two-thirds of the whole number of each House concurring.

Which was adopted; yeas 77, nays 34.

The yeas and nays demanded by Mr. Winston.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Black, Blow, Bryant, Bullock, J. B. Bynum, A. H. Caldwell, Chadwick, Cofield, Daniel, Daughtry, Dortch, Dunn, Eure, Flynt, Garland, Gentry, G. Green, M. Green, Harrison, J. H. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, H. Leach, Long, McDuffie, McMillan, Mann, Martin, Meares, Mordecai, Myers, Norment, Oglesby, Outlaw, Perkins, Rand, Kose, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—77.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Cook, Cotten, Craven, Furr, Gilliam, Gorrell, A. D. Headen, Horton, Johnson, J. M. Leach, Love, McKesson, March, Mebane, S. J. Neal, Parks, Patterson, Patton, Phillips, Regan, Roland, Sharpe, Shipp, Thornburg, Turner and Vance—34.

Mr. Carmichael offered the following amendment to the bill, as amended:

Strike out the words in the preamble, "leaving the basis of representation in the House of Commons and the Senate unchanged," and the words, "with the exception that no change shall be made in the basis of representation in the Senate and House of Commons," contained in the amendment; which amendment was rejected; yeas 32, nays 68.

The yeas and nays demanded by Mr. Carmichael.

Those who voted in the affirmative, were,

Messrs. Baxter, Bogle, Bryson, J. G. Bynum, A. H. Cald-

well, D. F. Caldwell, Carmichael, Cook, Craven, Furr, Garland, Gorrell, Harrison, Horton, Johnson, J. M. Leach, Love, McKesson, March, Mebane, S. J. Neal, Parks, Patterson, Patton, Phillips, Roland, Russell, Sharpe, Shipp, Thornburg, Vance and C. W. Williams—32.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bryant, Eullock, J. B. Bynum, Cansler, Chadwick, Cofield, Cotten, Daniel, Daughtry, Dortch, Dunn, Eure, Flynt, Gentry, Gilliam, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, H. Leach, Long, McDuffie, McMillan, Mann, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Outlaw, Perkins, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—68.

The question now recurring upon the amendment submitted by Mr. Outlaw, as amended, it was rejected; yeas 40, nays 70.

The yeas and nays demanded by Mr. Winston.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Craven, Daniel, Eure, Furr, Gilliam, Gorrell, J. H. Headen, Johnson, H. Leach, J. M. Leach, Love, Mann, March, Mebane, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Russell, Sharpe, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Wilkins and Winston—40.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bayant, Bryson, Bullock, J. B. Bynum, Cansler, Cofield, Cook, Cotten, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, Long, McDuffie, McKesson, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Rand, Regan, Roland, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Singeltary, Smallwood, Sutton, Tomlinson,

Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, C. W. Williams, S. A. Williams, T. H. Williams, Wright and Yancey—70.

Mr. Cook submitted the following amendment:

No person who has been convicted of any felonious or infamous crime in any foreign country, or in this State, or in any State in this Union, and who has become a fugitive from justice from such country or State on account of the commission of such crime, shall be permitted to vote for Senator or member of the House of Commons in this State.

Which amendment was rejected; yeas 46, nays 62.

The yeas and nays demanded by Mr. Cook.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Eure, Furr, Gilliam, Gorrell, J. H. Headen, Horton, Johnson, H. Leach, J. M. Leach, Love, McKesson, Mann, March, Mebane, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Stubbs, Thornburg, Tomlinson, Turner, Vance, B. F. Williams, S. A. Williams and Winston—46.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Daughtry, Dortch, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, Long, McDuffie, McMillan, Martin, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Steele, Sutton, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, T. H. Williams, Wright and Yancey—62.

Mr. Jones submitted the following amendment:

Provided, That nothing herein contained shall be so construed as to authorize any foreigner not naturalized according to the laws of the United States, to vote for members of the House of Commons.

Which amendment was rejected; yeas 52, nays 58. The yeas and nays demanded by Mr. Barringer.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Eure, Furr, Garland, Gilliam, Gorrell, G. Green, A. D. Headen, J. H. Headen, Horton, Johnson, Jones, Hugh Leach, J. M. Leach, Love, Mann, March, Mebane, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, G. M. White, Wilkins, B. F. Williams, S. A. Williams and Winston—52.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Cofield, Cotten, Daughtry, Dortch, Dunn, Flynt, Gentry, M. Green, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, Long, McDuffie, McKesson, McMillan, Martin, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Sutton, Tomlinson, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, T. H. Williams, Wright and Yancey—58.

The question now recurring upon the passage of the bill its second reading, the same was passed by more than the constitutional majority of three-fifths of the House; yeas 93, nays 15.

The yeas and nays demanded by Mr. Jarvis.

Those who voted in the affirmative, were,

Messrs. Speaker, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Chadwick, Cofield, Cotten, Dargan, Daughtry, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gentry, Gilliam, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, H. Leach, J. M. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Patton, Rand, Regan, Roland, Rose, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Steele, Stubbs, Sutton, Tomlinson, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock,

Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, Winston, T. H. Williams, Wright and Yancey—93.

Those who voted in the negative, were,

Mesers. Amis, J. G. Bynum, D. F. Caldwell, Carmichael, Cook, Craven, Daniel, Gorrell, Johnson, Mebane, Patterson, Phillips, Smith, Thornburg and Turner—15.

On motion by Mr. Singeltary, the said bill was put upon its

third reading.

The same was read the third time, passed by the constitutional majority of three-fifths, and ordered to be enrolled.

The House now took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The House now proceeded to the consideration of the unfinished business of yesterday, being the bill to incorporate the Western North Carolina Railroad Company, and the pending amendment:

Mr. Outlaw moved to refer the bill to the committee on internal improvements, with instructions to report such amendments as will perfect the same and make it acceptable to the House; he subsequently withdrew his motion.

The hour having now arrived, the House took a recess until 7 o'clock.

Seven o'clock, P. M.

The following engrossed bills from the Senate were severally read the first time and passed:

A bill to charter the Fayetteville and Greensboro' Railroad Company;

A bill to incorporate a company to construct a ship canal to unite the waters of Albemarle, Currituck and Pamlico Sounds with Chesapeak Bay, and for other purposes;

A bill to incorporate the New River Navigation Company;

A bill to re-charter the Bank of Cape Fear;

A bill for the completion of the North Carolina Railroad;

A bill to incorporate the Dan River and Yadkin Railroad Company;

A bill to aid the erection of a monument commemorative of the Declaration of American Independence; A bill to incorporate a Plankroad from Mocksville to Wilkesboro', and to provide for a subscription of stock on the part of the State;

A bill to incorporate the Bank of Clarendon, at Fayetteville;

A bill for completing, furnishing and enclosing the buildings and grounds of the Lunatic Asylum;

A bill concerning the Fayetteville and Centre Plankroad Company;

A bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes;

A bill to authorize the building of a toll bridge over Roanoke River, at the town of Halisax, and to incorporate a company for that purpose;

A bill to incorporate the Newbern Mutual Insurance Company;

A bill to incorporate the Thomasville and Clemmonsville Turnpike and Plankroad Company;

A bill to incorporate the trustees of the New Institute in Iredell county:

A bill to incorporate Clinton Lodge, No. 107, of Ancient York Masons, in the county of Caswell;

A resolution in favor of Walter Gwynn, Chief Engineer;

A resolution directing the Literary Board to loan money to the Clinton Female Institute, and for other purposes.

The following engrossed bills from the Senate were severally read the first time and passed; the rule being suspended, they were read the second and third time and passed, and ordered to be enrolled:

A bill concerning entries and grants;

A bill concerning wills and testaments;

A bill concerning registers;

A bill concerning oaths;

A bill concerning repeal and construction of statutes;

A bill concerning processioning;

A bill concerning insolvent debtors; and

A bill concerning limitations.

The Speaker laid before the House a message from the Senate, disagreeing to the amendment proposed by the House to the engrossed bill concerning usury; whereupon, the House receded from its amendment: yeas 52, nays 18.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, Barringer, Baxter, Black, Bryson, Bullock, Chadwick, Cook, Craven, Dunn, Flynt, Furr, Garland, Gentry, M. Green, J. H. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, H. Leach, Long, Love, McMillan, Mann, Meares, Mebane, Myers, Norment Oglesby, Patterson, Patton, Regan, Roland, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Smith, Thornburg, Tomlinson, Waugh, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams and C. W. Williams —52.

Those who voted in the negative, were,

Messrs. Blow, J. B. Bynum, J. G. Bynum, Carmichael, Daniel, Daughtry, Eure, Gorrell, A. D. Headen, Horton, Johnson, J. W. Neal, S. J. Neal, Singeltary, Smallwood, Watts and L. Whitfield—18.

The said bill was ordered to be enrolled.

Also, a message from the Senate agreeing to the amendment proposed by the House to the engrossed bill concerning evidence, and said bill was ordered to be enrolled.

Also, a message agreeing to the substitute proposed by the House for the engrossed bill to cede to the United States of America, sites for lighthouse purposes, and said bill was ordered to be enrolled.

Also, messages informing the House that they have passed the following engrossed bills from the House, with the amendments to each attached, to wit:

A bill to amend an act entitled an act to define the duties and powers of turnpike and plankroad companies;

A bill for the relief of the citizens of Iredell county;

A bill to incorporate the Chapel Hill and Morrisville Plank-road and Turnpike Company;

A bill to amend an act entitled an act to prevent the obstruction to the passage of fish in the waters of Blount's creek and its tributary streams: and

A bill to amend an act entitled an act for the better regulation of the town of Wilson, in the county of Edgecombe;

Which amendments were severally agreed to, and the said bills ordered to be enrolled.

The House now adjourned to to-morrow morning, 10 o'clock.

THURSDAY, FEBRUARY 1, 1855.

On motion by Mr. J. H. Headen, the engrossed bill to authorize the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes, was made the special order of the day for Friday next, at 12 o'clock.

On motion by Mr. Dortch, the engrossed bill for the completion of the North Carolina Railroad was made the special order for this day at three o'clock, P. M.

On motion by Mr. Shepherd, the engrossed bill concerning the Fayetteville and Centre Plankroad Company was made the speciall order of the day for Saturday next, at 3 o'clock, P. M.

On motion by Mr. Humphrey, the engrossed bill to incorporate the New River Navigation Company was made the special order of the day for Friday next, at $11\frac{1}{2}$ o'clock, A. M.

On motion by Mr. Carmichael, the engrossed bill to incorporate a Plankroad from Mocksville to Wilkesboro', and provide for a subscription on the part of the State, was made the special order of the day for Monday next, at $11\frac{1}{2}$ o'clock, A. M.

On motion by Mr. Smith, the engrossed bill to incorporate a company to construct a ship canal to unite the waters of Albemarle, Currituck and Pamlico Sounds with Chesapeake Bay, and for other purposes, was made the special order of the day for Saturday next, at 11 o'clock, A. M.

Mr. G. Green asked the unanimous consent of the House to record his vote in favor of the free suffrage bill, which was refused.

Mr. Amis moved that the bill to incorporate the Dan River and Yadkin Railroad Company, be made the special order for this day, at 11½ o'clock; which was carried; yeas 63, nays 47.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Baxter, Bogle, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Cook, Cotten, Daniel, Eure, Flynt, Garland, Gentry, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Houston, Jenkins, Jones, Long, McDuffie, McKesson, McMillan,

March, Martin, Meares, Myers, S. J. Neal, J. W. Neal, Norment, Oglesby, Parks, Patterson, Patton, Perkins, Rand, Regan, Roland, Selby, Settle, Sharpe, Shaw, Sherrill, Singeltary, Steele, Turner, Vance, Waugh, Whitaker, Whitlock, Wilkins, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—63.

Those who voted in the negative, were,

Messrs. A. Barnes, Barringer, Black, Blow, Bryant, J. B. Bynum, D. F. Caldwell, Chadwick, Craven, Daughtry, Dortch, Dunn, Furr, Gilliam, Gorrell, Grist, Harrison, Holland, Horton, Johnson, Jordan, H. Leach, J. M. Leach, Love, Mann, Mebane, Mordecai, Outlaw, Rose, Russell, Shepherd, Shipp, Simmons, Smallwood, Smith, Stubbs, Sutton, Thornburg, Tomlinson, Watts, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, B. F. Williams, T. H. Williams and Yancey—47.

Mr. Singeltary moved to refer the engrossed bill from the Senate, to recharter the bank of Cape Fear, and to incorporate the bank of Clarendon, at Fayetteville, to the committee of the whole House; and

Mr. Myers moved to lay the motion upon the table; the motion to lay upon the table was lost: yeas 42, nays 67.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Amis, Baxter, Bogle, Bryant, Bullock, J. B. Bynum, Cansler, Cook, Dortch, Dunn, Furr, M. Green, Grist, Houston, Humphrey, Jenkins, Love, McDuffie, Mann, March, Meares, Myers, J. W. Neal, Norment, Patterson, Perkins, Rand, Regan, Steele, Sherrill, Smallwood, Smith, Sutton, Turner, Vance, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, C. W. Williams and Wright—42.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael Chadwick, Cofield, Cotten, Daniel, Daughtry, Eure, Flynt, Garland, Gentry, Gilliam, Gorrell, G. Green, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Jarvis, Johnson, Jones, Jordan, H. Leach, J. M. Leach, Long, McKesson, McMillan, Martin, Mebane, Mordecai, S. J. Neal, Oglesby, Outlaw, Parks, Pat-

ton, Phillips, Roland, Rose, Russell, Shaw, Shepherd, Shipp, Simmons, Singeltary, Steele, Stubbs, Thornburg, Tomlinson, Whitaker, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams and Winston—67.

The question now recurring upon the motion to refer said bills, it was carried.

The Speaker laid before the House, communications from the public treasurer, in compliance with resolutions of this House, giving information as to the amount paid for the geological survey of the State up to this date, and the manner in which the liabilities of the State were in New York, on the 31st of December last.

Mr. Waugh, from the committee on propositions and grievances, reported unfavorably, a bill to correct errors, committed in making entries of land, assigned to the use of the Western Turnpike Road; and

Also, reported back sundry memorials from citizens of Madison county, praying this General Assembly to locate the site for the county town of said county, and asked to be discharged from the further consideration of the same, and reported favorably upon the bill to authorize S. W. Chadwick to collect arrears of taxes.

Mr. Whitaker, from the committee on claims, to whom was re-committed a resolution in favor of Jno. B. Debnam, reported a substitute therefor, and recommended its passage.

Mr. Jordan, from the committee on swamp lands, to whom was referred a bill to anthorize suits and prosecutions for trespasses and other offences committed upon swamp lands lying in certain counties, or some of them, to be commenced by the President and Directors of the literary fund of the State of North Caronila, in the superior court of law of Washington and Beaufort counties, reported the same back to the House and recommended its passage.

Mr. Steele, from the committee on corporations, reported unfavorably a bill to incorporate the trustees of the Warsaw Male High School in Duplin county; and

A bill to incorporate the town of White Hall in the county of Wayne.

Mr. Singeltary presented the following resolution, which was read and rejected:

Resolved, That the chairman of the committee of the whole

House on banking, he instructed to report back to the House the various bills referred to said committee.

Mr. Patterson presented the following resolution, which was read and adopted:

Resolved, That the committee of finance enquire into the expediency and necessity of regulating by law, the fees of comptroller for making searches and other examinations of the records and papers in his office, so as to fix some just and uniform rate for the same, and that they report by bill or otherwise.

Mr. McMillan submitted the following resolution, which was read and adopted:

Resolved, That the judiciary committee be instructed to enquire into the propriety of altering the law against the secreting of slaves on vessels, so as to subject said vessels to the owners of said slaves, and that the committee report by bill or otherwise.

Mr. McMillan introduced a bill concerning the sale of rice in the town of Wilmington;

Which was read the first time and passed, and rferred to the committee on the judiciary.

Mr. Sharpe, a bill to enable the county court of Iredell county to collect the State and county taxes for the year 1855.

The same was read the first time and passed.

Mr. Turner, a bill to amend Letters Patent, granted to Wm. H. Wilder and others;

Which was read the first time and passed.

The resolution submitted by Mr. Perkins on yesterday, limiting the introduction of bills into this House, having laid over one day, was taken up and adopted.

The resolution presented by Mr. Hill on yesterday, limiting the time members may speak, having laid over one day, was taken up and adopted.

On motion by Mr. Jenkins, the vote by which the said resolution was adopted, was re-considered, and the resolution was laid upon the table.

The House now proceeded to the consideration of the unfinished business of yesterday, being the bill to incorporate the Western North Carolina Railroad Company, and the pending amendment submitted by Mr. Singeltary.

Mr. Singeltary moved to refer the bill to the committee on the judiciary, which motion was lost.

The question now being taken upon the pending amendment, it was rejected; yeas 51, nays 60.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, J. B. Bynum, Cotten, Daniel, Daughtry, Dunn, Eure, Flynt, Gilliam, M. Green, Holland, Horton, Houston, Jarvis, Jenkins, Jones, H. Leach, Long, Mann, March, Martin, Mordecai, J. W. Neal, Oglesby, Outlaw, Perkins, Rand, Selby, Settle, Shaw, Singeltary, Smallwood, Smith, Stubbs, Tomlinson, Watts, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, D. Williams, S. A. Williams, Winston and Wright—51.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Dortch, Furr, Garland, Gorrell, G. Green, Grist, A. D. Headen, J. H. Headen, Hill, Humphrey, Johnson, Jordan, J. M. Leach, Love, McKesson, McMillan, Meares, Mebane, Myers, S. J. Neal, Norment, Parks, Patterson, Patton, Phillips, Regan, Roland, Rose, Russell, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Steele, Sutton, Thornburg, Turner, Vance, Whitaker, G. M. White, Wilkins, C. W. Williams, T. H. Williams and Yancey—60.

Mr. Jones submitted the following amendment, which was read and adopted:

Sth section, in the 6th line, after the words "subscribed for and taken," add the words "by solvent and responsible persons."

The question now recurring upon the passage of the bill as amended, its second reading, its was passed; yeas 71, nays 38.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Dunn, Flynt, Garland, Gorrell, G. Green, M. Green, Grist, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Johnson, Jones, Jordan, H. Leach, Love, McDuffie, McKesson, McMillan, Meares, Mebane, Mor-

decai, Myers, S. J. Neal, Norment, Oglesby, Parks, Patterson, Patton, Phillips, Rand, Regan, Roland, Rose, Russell, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Steele, Settle, Turner, Vance, Waugh, Whitaker, G. M. White, N. B. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Wright and Yancey—70.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Cotten, Craven, Daniel, Daughtry, Dortch, Eure, Gentry, Gilliam, Harrison, Jenkins, Long, Mann, Martin, J. W. Neal, Outlaw, Selby, Settle, Shaw, Singeltary, Smallwood, Smith, Stubbs, Thornburg, Watts, L. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams and Winston—38.

The House now proceeded to the consideration of the special order of the day, being a bill to create a scientific and military school and a State arsenal in this State; the same was read the second time and passed.

The engrossed bill to incorporate the Dan River and Yadkin Railroad Company, having been made the special order for this day at 11½ o'clock, was now taken up, and read the second time.

Pending the discussion thereon, the hour arrived, under the rule, and the House took a recess.

Three o'clock, P. M.

On motion by Mr. Humphrey, the engrossed bill to charter the Fayetteville and Greensboro' Railroad Company was made the special order of the day for to-morrow, at 1 o'clock, P. M.

The House now resumed the consideration of the bill to incorporate the Dan River and Yadkın Railroad Company.

Mr. Outlaw moved the bill be indefinitely postponed, and sub-sequently withdrew his motion.

The question being, shall the bill pass its second reading, it was determined in the negative; yeas 38, nays 63.

The yeas and nays demanded by Mr. Dortch.

Those who voted in the affirmative, were,

Messrs. Amis, Baxter, Bogle, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Cook, Flynt, Garland, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Horton, Humphrey, Jarvis, J. M. Leach, Long, McDuffie, McKesson, J. W. Neal, Norment, Regan, Roland, Settle, Shaw,

Sherrill, Steele, Vance, Waugh, Wilkins, C. W. Willams and Yancey-38.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bryant, J. B. Bynum, D. F. Caldwell, Craven, Daniel, Daughtry, Dortch, Dunn, Furr, Gilliam, Gorrell, Grist, Holland, Houston, Jenkins, Johnson, Jones, Jordan, H. Leach, Love, Mann, March, Martin, Meares, Mebane, Mordecai, Myers, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Selby, Sharpe, Shipp, Simmons, Singeltary, Smallwood, Smith, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Watts, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, S. A. Williams, T. H. Williams and Winston—63.

So the bill was rejected.

The engrossed bill for the completion of the North Carolina Railroad having been made the special order for 3 o'clock this day, was now taken up and read the second time.

Mr. Stubbs submitted the following amendment:

Sec. 6. Be it further enacted, That the sum of fifteen thousand dollars, to be raised by the State, in the same manner as other moneys are raised by the provisions of this act, be and the same is hereby appropriated for the purpose of cleaning out and improving the navigation of Tarriver, between the town of Washington and the falls of said river; and that his Excellency, the Governor, is hereby empowered and required to appoint suitable commissioners to carry into effect the requirements of this section.

Pending the consideration of which the hour arrived, under the rule, and the House took a recess.

Seven o'clock, P. M.

On motion by Mr. Roland, a bill supplemental to and amendatory of an act passed at the session of 1852-'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike Road, was taken up and read the stcond time; and

Mr. Bryson moved to amend the same, by striking out "Jackson county;" which was lost: the bill then passed its second reading; and

On motion by Mr. Roland, the same was referred to Mr. Baxter, to report suitable amendments.

On motion by Mr. Sharpe, the bill to enable the county court of Iredell county to collect the State and county taxes for the year 1855, was taken up, and read the second time and passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

A bill to incorporate the Randolph and Thomasville Turnpike or Plankroad Company, was read the second time and passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

A bill to incorporate the Centre Gold and Copper Mining Company of North Carolina was read the second time, and the amendment reported by the committee on corporations was adopted, and the bill, as amended, passed its second reading; the rule being suspended, it was read the third time and passed, and ordered to be engrossed.

A bill to regulate the inspection of flour in the town of Fayville, was read the second time and passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

A bill to amend the charter of the Milton Savings Institution, was read the second time and passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

A bill to authorize Lewis S. Startley, late sheriff of Caldwell county, to collect arrears of taxes due him, was read the second time and passed; the rule being suspended, the same was read the third time and rejected: yeas 33, nays 41.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Bogle, Bryson, Bullock, D. F. Caldwell, Carmichael, Chadwick, Cook, Garland, Gentry, G. Green, A. D. Headen, Herton, H. Leech, McKesson, Mann, Mebane, Myers, S. J. Neal, J. W. Neal, Patterson, Perkins, Phillips, Roland, Sharpe, Smith, J. H. White, Whitlock, Wilkins, B. F. Williams, C. W. Williams and Winston—33.

Those who voted in the negative, were,

Msssrs. Amis, A. Barnes, J. Barnes, Blow, Bryant, J. G. By-

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num, Craven, Daughtry, Dortch, Dunn, Furr, Gorrell, M. Green, Harrison, J. H. Headen, Holland, Jarvis, Johnson, Long, Love, McDuffie, McMillan, Meares, Norment, Oglesby, Regan, Russell, Settle, Shaw, Shepherd, Singeltary, Thornburg, Tomlinson, Vance, Watts, Waugh, L. Whitfield, N. B. Whitfield, T. H. Williams, Wright and Yancey—41.

On motion by Mr. Mebane, leave of absence was granted to Mr. Thornburg for ten days.

The House now adjourned to to-morrow morning 10 oclock.

FRIDAY, FEBRUARY 2, 1855.

Mr. Jenkins, from the committee on private bills, to whom was referred a bill to prevent obstructions to the passage of fish in Shooting creek in the county of Cherokee; and

A bill to amend an act passed in the year 1836, entitled an act to incorporate the town of Greensboro' in the county of Guilford, reported the same back to the House and recommended their passage.

Mr. McMillan, from the committee on printing, reported a bill in relation to the public printing;

Which was read the first time and passed.

Mr. Yancey introduced a bill to alter the line between the counties of Buncombe and Madison;

Which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Selby, a bill to incorporate the town of Nebraska;

Which was read the first time and passed, the rule being suspended, the same was read the second and third time and passed, and ordered to be engrossed.

Mr. Houston, a bill to amend an act passed in the year 1852, entitled an act, to incorporate the town of Kenansville;

Which was read the first time and passed, and referred to the committee on propositions and grievances.

Mr. Love submitted the following resolution, which was read and adopted:

Resolved, That the bill for the western extension of the North Carolina Railroad, be referred to Messrs. Baxter, Shepherd, Outlaw, Gorrell and Patterson, with instructions that they make such amendments to it as may be necessary, and report the same to this House as early as practicable.

Mr. J. G. Bynum presented the following resolution, which was read and adopted:

Resolved, That the committee on finance be instructed to inquire whether any legislation is necessary to enforce the collection of the tax on collateral descents, imposed by former acts of the General Assembly, and that they have leave to report by bill or otherwise.

Mr. Roland submitted the following resolution, which was read and rejected:

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of appointing three additional judges, whose duty it shall be to hold the extra courts of this State, and that they report by bill or otherwise.

Mr. Myers moved that the communication from the public treasurer on the subject of meeting the liabilities of the State in New York, on the 31st December last, be printed.

On motion of Mr. J. G. Bynum, the motion to print was laid upon the table.

Mr. Whitlock moved to reconsider the vote by which was rejected the bill to incorporate the Dan River and Yadkin Railroad Company.

Which motion was carried; yeas 71, nays 36.

The yeas and nays demanded by Mr. Gilliam.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, Baxter, Black, Bogle, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Dunn, Eure, Flynt, Garland, Gentry, G. Green, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, H. Leach, J. M. Leach, Long, McDuffie, McKesson, McMillan, Mann, March, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Parks, Patterson, Patton, Regan, Roland, Russell, Selby, Settle, Shaw, Shepherd, Sherrill, Steele, Stubbs, Vance, Whitaker, Waugh, J. H. White, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—71.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, Blow, Bryant, J. B. Bynum, D. F. Caldwell, Craven, Daniel, Daughtry, Dortch, Furr, Gilliam,

Gorrell, Johnson, Love, Meares, Mebane, S. J. Neal, Outlaw, Perkins, Rand, Rose, Sharpe, Simmons, Singeltary, Smallwood, Smith, Sutton, Tomlinson, Watts, G. M. White, L. Whitfield, N. B. Whitfield, T. H. Williams and Winston—36.

The said bill was now taken up, the same having been before read in this House the second time.

Mr. Shepherd submitted the following amendment to the bill, which was read and adopted:

Strike out the clauses making the State's subscription, and insert the following:

Sec. —. That whenever fifteen miles thereof shall be graded, and the road-bed shall be ready to receive iron and superstructure, the public treasurer is hereby authorized and required, upon being thereof certified by the president and directors, to endorse the bonds of the company to the amount of one hundred and fifty thousand dollars, and so totics quoties, as often as any further fifteen miles shall be so graded.

Sec. —. That the bonds of the company, so required to be endorsed by the State, shall be payable at a period of time not longer than twenty-five years, and may be made payable to bearer, with coupons attached, at such places as the president and directors may determine, and at a rate of interest not exceeding six per centum, payable semi-annually; and the same shall be endorsed by the public treasurer in the name of the State, as bonds in like cases have been or are now required to be endorsed, and the faith of the State is hereby pledged for their redemption: and the State shall have a lien on the road, its branches, and all its property, for the payment of said bonds, when issued, with the interest thereon; and in case of failure to pay the said bonds, or the interest due thereon, the State may enter upon, and take possession of the whole property of the company, and apply the same to the liquidation of the debts for which the State shall be liable.

Mr. D. F. Caldwell submitted the following amendment, which was rejected:

And be it further enacted, That it shall and may be lawful for John Wilson, Stephen Dodson, Samuel Watkins, Ezra Wilson, Peter Adams and W. H. Cumings, or any three of them, to revive an act granted to them and others in the year 1835, by the legislature of North Carolina, for the purpose of constructing a

railroad from Salisbury to Milton in this State, and they are hereby authorized and empowered to open books at such time and place, and under such restrictions as they may think proper or necessary, to make subscriptions to the amount required to complete the road.

Mr. Myers submitted the following amendment, which was read and adopted:

Provided always, That the bonds hereby authorized to be raised, shall in no event be sold for less than their par value.

Mr. Amis submitted the following amendment, which was read and adopted:

Be it further enacted, That each section of fifteen miles, shall be put in running order before the next section is graded.

The question now recurring upon the passage of the bill as amended, its second reading, it was rejected, yeas 45, nays 60.

The yeas and nays demanded by Mr. Winston.

Those who voted in the affirmative, were,

Messrs. Amis, Baxter, Black, Bogle, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Cofield, Cook, Flynt, Garland, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Humphrey, Jarvis, J. M. Leach, Long, McDuffie, J. W. Neal, Norment, Oglesby, Parks, Patton, Regan, Roland, Settle, Shaw, Shepherd, Sherrill, Steele, Vance, Waugh, J. H. White, Wilkins, C. W. Williams, Wright and Yancy—45.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Blow, Bryant, J. B. Bynum, D. F. Caldwell, Chadwick, Cotten, Craven, Daniel, Daughtry, Dortch, Dunn, Furr, Gilliam, Gorrell, Grist, Jenkins, Johnson, Jones, Jordan, H. Leach, Love, McKesson, McMillan, Meares, Mann, Mebane, Mordecai, Myers, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Russell, Selby, Sharpe, Simmons, Singeltary, Smallwood, Smith, Stubbs, Sutton, Tomlinson, Turner, Watts, Whitaker, G. M. White, L. Whitfield, Whitlock, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams and Winston—60.

The House now resumed the consideration of the unfinished business of yesterday, being the bill for the completion of the North Carolina Railroad, and the question now being taken upon the pending amendment submitted by Mr. Stubbs;

Which was adopted; yeas 52, nays 52.

There being a tie, the Speaker voted in the affirmative.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Baxter, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Cotten, Daniel, Eure, Gılliam, Gorrell, G. Green, Grist, A. D. Headen, J. H. Headen, Humphrey, Jarvis, Jones, J. M. Leach, Love, McDuffie, McKesson, Mann, March, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Selby, Sharpe, Shepherd, Sherrill, Smith, Steele, Stubbs, Turner, Vance, Wilkins, B. F. Williams, T. H. Williams and Winston—52.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Black, Bryant, Bryson, Bullock, J. B. Bynum, Craven, Daughtry, Dortch, Dunn, Flynt, Furr, Garland, Gentry, M. Green, Hill, Holland, Horton, Houston, Jenkins, Johnson, Jordan, H. Leach, Long, McMillan, Meares, Mordecai, Myers, J. W. Neal, Rand, Regan, Rose, Settle, Shaw, Simmons, Singeltary, Smallwood, Sutton, Tomlinson, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—52.

Mr. Singeltary submitted the following amendment; which was read and adopted:

Section 2d, line 5th, strike out "three per cent. semi-annually," and insert "six per cent. per annum."

Mr. Myers submitted the following amendment; which was rejected:

Provided always, That the bonds hereby authorized to be sold, shall in no event, be disposed of for less than their par value.

Mr. Singeltary moved to amend the bill, by striking out the proviso to the 2d section; which amendment was lost.

The hour having now arrived, under the rule, the House took a recess until 3 o'clock, P. M.

Three o'clock, P. M.

The House now resumed the consideration of the bill for the

completion of the North Carolina Railroad, and Mr. C. W. Williams submitted the following amendment:

Be it further enacted, That the sum of fifty thousand dollars be appropriated to the improvement of the Yadkin river, from the point where the North Carolina Railroad crosses the said river, up to the Bean Shoals; the said fifty thousand dollars to be raised in the same way that is provided for the one million of dollars to be raised for the completion of the North Carolina Railroad; and the said fifty thousand dollars shall be expended on said river under the direction of a skillful engineer, to be appointed by the board of internal improvements, and shall be under such rules and restrictions as they may think best; and the said river shall be used by the State as a public improvement for the benefit of said State.

Which amendment was lost,

Mr. Singeltary submitted the following amendment, which was adopted:

To section 2d add—Provided further, That said stock may be transferred to any other work of internal improvement by a future Legislature.

Mr. Singeltary now moved to amend the bill by striking out the whole of the proviso as amended to section 2d, which was lost; yeas 42, nays 66.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bryant, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Daughtry, Dunn, Flynt, Garland, Gentry, M. Green, A. D. Headen, Holland, Jarvis, Jenkins, Jordan, Long, Love, Myers, J. W. Neal, Rose, Selby, Settle, Sherrill, Singeltary, Smallwood, Tomlinson, Watts, Waugh, Whitaker, J. H. White, Whitlock, C. W. Williams, D. Williams, S. A. Williams, Winston and Wright—42.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Bogle, Bryson, D. F. Caldwell, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Dortch, Eure, Furr, Gilliam, Gorrell, G. Green, Grist, Harrison, J. H. Headen, Horton, Houston, Humphrey, Johnson, Jones, H. Leach, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Out-

law, Parks, Patterson, Patton, Perkins, Phillips, Rand, Regan, Roland, Russell, Sharpe, Shaw, Shepherd, Simmons, Smith, Steele, Stubbs, Sutton, Turner, Vance, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, T. H. Williams and Yancey—66.

Mr. Singeltary presented the following as a substitute for the bill:

Strike out all after the enacting clause and insert, "that the capital stock of the North Carolina Railroad Company shall be increased one million of dollars on the same terms and conditions between the State and individuals as are prescribed in the original charter, and that the treasurer make provision for paying the additional subscription on the part of the State to the stock of said company according to the directions laid down in the original act of incorporation."

The same was rejected; yeas 42, nays 64.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Black, Blow, Bryant, Bullock, J. B. Bynum, J. G. Bynum, Craven, Daughtry, Dunn, Flynt, Gentry, Gilliam, M. Green, A. D. Headen, Holland, Jarvis, Jenkins, H. Leach, Long, Myers, J. W. Neal, Selby, Sherrill, Singeltary, Smallwood, Smith, Sutton, Watts, Waugh, G. M. White, J. H. White, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—42.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Barringer, Baxter, Bogle, Bryson, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook. Daniel, Dortch, Eure, Furr, Garland, Gorrell, G. Green, Grist, Harrison, J. H. Headen, Horton, Houston, Humphrey, Johnson, Jones, Jordan, J. M. Leach, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Rand, Regan, Russell, Settle, Sharpe, Shaw, Shepherd, Simmons, Steele, Stubbs, Tomlinson, Turner, Vance, Whitaker, L. Whitfield, Wilkins and B. F. Williams—64.

Mr. G. M. White submitted the following amendment:

Be it further enacted, That twenty thousand dollars be appro-

priated for the improvement of Black River and South River, to be expended under the supervision of Luther Cromartrie, William Beattie, Calvin Dixon and James Meredith, for the exclusive benefit of persons who carry produce down said rivers, (to come in before the concluding clause) which was rejected; yeas 16, nays 89.

The yeas and nays demanded by Mr. G. M. White.

Those who voted in the affirmative, were,

Messrs. J. G. Bynum, Daughtry, Eure, G. Green, Jarvis, Jones, McDuffie, Meares, Regan, Roland, Selby, Shaw, Steele, G. M. White, T. H. Williams and Yancey—16.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Baxter, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Craven, Daniel, Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Holland, Horton, Houston, Humphrey, Jenkins, Johnson, Jordan, H. Leach, J. M. Leach, Long, Love, McKesson, McMillan, Mann, March, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patton, Perkins, Phillips, Rand, Rose, Russell, Settle, Sharpe, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Smith, Sutton, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Winston and Wright—89.

Mr. Meares submitted the following amendment:

Resolved, That one million of dollars be appropriated out of the public treasury, for internal improvements in the State, to be distributed among the several counties, in proportion to the amount of taxes paid into the public treasury by them respectively; to which amendment Mr. Love offered the following: Strike out all after "the," in 7th line, and insert "white population." The question being first taken upon the latter amendment, it was rejected; yeas 15, nays 76.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Bryson, J. G. Bynum, Carmichael, Craven, Garland,

Gentry, Horton, Love, Patterson, Patton, Roland, C. W. Williams, Whitlock, Wright and Yancey—15.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bogle, Bryant, Bullock, J. B. Bynum, Cansler, Chadwick, Cofield, Daughtry, Dortch, Dunn, Eure, Flynt, Furr, Gilliam, G. Green, M. Green, Grist, Harnson, A. D. Headen, J. H. Headen, Humphrey, Jarvis, Jenkins, Jones, H. Leach, Long, McDuffie, McKesson, Mann, March, Meares, Mordecai, Myers, J. W. Neal, Norment, Oglesby, Perkins, Rand, Rose, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Tomlinson, Turner, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams and Winston—76.

The question now recurring upon the amendment submitted by Mr. Meares, and the same was rejected; yeas 23, nays 51.

The yeas and nays demanded by Mr. Love.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Bryant, J. B. Bynum, Daughtry, Flynt, Garland, Gilliam, M. Green, Houston, Jones, Meares, Myers, Selby, Simmons, Singeltary, Smallwood, Sutton, G. M. White, J. H. White, N. B. Whitfield, Whitlock, C. W. Williams and D. Williams—23.

Those who voted in the negative, were,

Messrs. Amis, Badham, Barringer, Baxter, Black, Bryson, Cansler, Dortch, Dunn, Eure, Gentry, A. D. Headen, J. H. Headen, Humphrey, Jarvis, Jenkins, Johnson, Jordan, H. Leach, Long, Love, McDuffie, McMillan, March, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Perkins, Phillips, Rand, Roland, Russell, Settle, Sharpe, Shepherd, Sherrill, Steele, Tomlinson, Turner, Waugh, Whitaker, L. Whitfield, Wilkins, B. F. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—51.

Mr. McDuffie submitted the following amendment :

Provided, That no person be employed as chief engineer on said work but native North Carolinians;

Which was rejected; yeas 19, nays 85.

The yeas and nays demanded by Mr. McDuffie.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Daughtry, Eure, G. Green, Horton, Humphrey, Love, McDuffie, Mann, March, Meares, Regan, Rose, Shaw, Simmons, Sutton, G. M. White, N. B. Whitfield and T. H. Williams—19.

Those who voted in the negative, were,

Messrs. Amis, Badham, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Cotten, Craven, Daniel, Dortch, Dunn, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Grist, A. D. Headen, J. H. Headen, Holland, Jarvis, Jenkins, Johnson, Jordan, H. Leach, J. M. Leach, Long, McKesson, McMillan, Mebane, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Rand, Russell, Selby, Settle, Sharpe, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Steele, Stubbs, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, Whitlock, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—85.

The question now recurring upon the passage of the bill as amended, its second reading, it was passed; yeas 88, nays 19.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotten, Craven, Daniel, Dortch, Eure, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, Grist, A. D. Headen, J. H. Headen, Holland, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, H. Leach, J. M. Leach, Long, Love, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Selby, Sharpe, Shaw, Shepherd, Sherrill, Simmons, Smallwood, Smith, Steele, Stubbs, Turner, Vance, Watts, Waugh, Whitaker, J. H. White, Wilkins, B. F. Williams, C. W. Williams, T. H. Williams, S. A. Williams, Winston, Wright and Yancey—88.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Bullock, Daughtry, Dunn, Flynt, M. Green, McDuffie, Myers, Settle, Singeltary, Sutton, Tomlinson, G. M. White, L. Whitfield, N. B. Whitfield, Whitlock and D. Williams—19.

On motion by Mr. J. G. Bynum, the rule was suspended, and the bill was read the third time; and

Mr. Tomlinson submitted the following amendment:

Strike out the appropriation of fifteen thousand dollars to the improvement of Tar river;

Which was rejected; yeas 48, nays 58.

The yeas and nays demanded by Mr. Tomlinson.

Those who voted in the affirmative, were,

Messrs. Amis, A. Barnes, J. Barnes, Black, Bryant, Bryson, Bullock, J. B. Bynum, Daughtry, Dortch, Dunn, Flynt, Furr, Garland, Gentry, M. Green, Holland, Horton, Houston, Jenkins, Jordan, Long, McDuffie, Mebane, Myers, J. W. Neal, Rand, Regan, Rose, Settle, Shaw, Sherrill, Simmons, Singeltary, Smallwood, Sutton, Tomlinson, Turner, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, S. A. Williams and Yancey—48.

Those who voted in the negative, were,

Messrs. Badham, Barringer, Baxter, Blow, Bogle, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Cotton, Daniel, Eure, Gilliam, Gorrell, G. Green, Grist, A. D. Headen, J. H. Headen, Humphrey, Jarvis, Johnson, Jones, H. Leach, J. M. Leach, Love, McKesson, McMillan, Mann, March, Meares, Mordecai, S. J. Neal, Norment, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Roland, Russell, Selby, Sharpe, Shepherd, Smith, Steele, Stubbs, Vance, Whitaker, Wilkins, B. F. Williams, D. Williams, T. H. Williams and Winston—58.

Mr. Baxter submitted the following amendment; which was read and adopted:

Strike out of the 1st section the following words:—"According to the directions of the act of said company, entitled an act to incorporate the North Carolina Railroad Company, ratified the 27th day of January, 1849."

The question now recurring upon the passage of the bill, as amended its third reading, it was passed.

Mr. Barringer moved to reconsider the vote by which said bill was passed; which motion was lost.

The special order of the day, being the engrossed bill to incorporate the New River Navigation Company, was now taken up and read the second time and passed.

On motion by Mr. J. G. Bynum, the rule was suspended, and the same was read the third time; and

Mr. B. F. Williams submitted the following amendment:

Be it further enacted, That the sum of ten thousand dollars be, and the same is hereby appropriated, to clean out and improve the navigation of Contentnea Creek; and that the same shall be paid by the public treasurer to three commissioners, to be appointed by a majority of the justices of the county court of Greene county, and said money shall be paid out of any money in the treasury not otherwise appropriated; which was rejected: yeas 7, nays 67.

The yeas and nays demanded by Mr. B. F. Williams.

Those who voted in the affirmative, were,

Messrs. G. Green, Jones, Mebane, Selby, Simmons, N. B. Whitfield and B. F. Williams—7.

Those who voted in the negative, were,

Messrs. Amis, Badham, Bryson, A. Barnes, Baxter, Black, Bogle, Bryant, Bullock, J. B. Bynum, J. G. Bynm, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Craven, Daniel, Daughtry, Dunn, Flynt, Furr, Garland, Gorrell, M. Green, A. D. Headen, J. H. Headen, Holland, Humphrey, Jarvis, Jenkins, Johnson, Jordan, H. Leach, J. M. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, Meares, Mordecai, Myers, J. W. Neal, S. J. Neal, Norment, Oglesby, Outlaw, Patton, Phillips, Rand, Regan, Russell, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Steele, Sutton, Tomlinson, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, Whitlock, C. W. Williams, S. A. Williams, T. H. Williams, Winston and Yancey—67.

The question now recurring upon the passage of the bill, its third reading, it was passed, and orderded to be enrolled.

The hour having now arrived, the House took a recess.

Seven o'clock, P. M.

The following bills were severally read the second time and passed; the rule being suspended, they were read the third time, passed, and ordered to be engrossed:

A bill to incorporate the town of Snow Hill, in Greene county;

A bill to amend an act, entitled an act to provide for the better government of the town of Lincolnton, and to amend the existing laws of said town, passed at the session of 1852;

A bill to incorporate Yadkin Lodge of Free Masons, in the town of Yadkinville;

A bill to incorporate the Fayetteville Female High School;

A bill to lay off a public road in the county of Ashe;

A bill to incorporate the Alexandriana Plankroad Company;

A bill to increase the compensation of jurors and witnesses, in the county of Washington;

A bill to incorporate the Wilmington Savings Bank;

A bill to amend an act, entitled an act to enlarge the powers of the commissioners of the town of Newbern;

A bill to incorporate the Holtsburg Manufacturing Company;

A bill to incorporate the Stokes Iron Mining Company;

A bill to incorporate the Yadkin Institute, in the county of Yadkin;

A bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company;

A bill to prevent the felling timber, &c., in Big and Little Ivy; A bill to prevent obstructing the passage of fish up New river,

in the counties of Ashe and Watauga;

A bill to amend an act, entitled an act to incorporate the town of Graham, in the county of Alamance, passed at the session of 1850-'51;

A bill to incorporate a female institute, in the town of Rockford;

A bill to establish a public road from William Phillips' to the stage road, at or near Jonas Brunket's, in Ashe county;

A bill to authorize the construction of a toll bridge across the Yadkin river, near Jonesville;

A bill to incorporate the United Baptist Institute, in the town of Taylorsville, N. C.;

A bill to incorporate the Newbern and Neuse River Bridge Company, in the county of Craven;

A bill to incorporate the Sprinfield Institute, in Wake county;

A resolution in favor of Abner Walker.

The following engrossed bills from the Senate, were severally read the first time and passed; the rule being suspended, they were read the second and third time, passed, and ordered to be enrolled:

A bill concerning the General Assembly;

A bill concerning towns;

A bill to incorporate the McIver Coal Mining Company;

A bill to lay off and establish a public road in the county of Ashe;

A bill to incorporate Glen Anna Female Seminary, in the county of Davidson; and

A bill to incorporate the Gardner Hill Mining Company.

The engrossed bill to incorporate the McCullock Copper and Gold Mining Company, was read the first time and passed; the rule being suspended, it was read the second time, and

On motion by Mr. Johnson, amended in the 7th section, by striking out "thirty," and inserting "fifty;" and the bill, as amended, passed its second and third reading, and was ordered to be enrolled.

The following bills were severally read the second time, amended and passed; the rule being suspended, they were read the third time and passed, and ordered to be engrossed:

A bill for the better regulation of Elizabethtown;

A bill to incorporate the New River, Wilmington and Topsail Sound Plankroad Company;

A bill to incorporate the Snow Hill and Atlantic Plankroad Company;

A bill to incorporate the Chatham and Randolph Plankroad Company;

A bill to incorporate the Jacksonville and Trent River Plank-road Company;

A bill to incorporate the Salem, Winston and Virginia Turn-pike and Plankroad Company;

A bill to incorporate the Hillsboro' and Chapel Hill Plankroad Company;

A bill to incorporate the Hillsboro' and Milton Plankroad Com-

pany.

Received from the Senate a message, informing that they have passed the engrossed bill from the House to incorporate the town of Lenoir, in Caldwell county; and the engrossed bill for the better regulation of the town of Louisburg, in Franklin county, with an amendment; in which they ask the agreement of the House.

The House agreed to the amendments, and the Senate was in-

formed by message.

A bill to pay regular and tales jurors in the county of Nash, was read the second time and passed, and laid upon the table.

A bill to amend an act passed at the session of the General Assembly in 1848-'9, entitled an act to open a road from the town of Newton to the town of Morganton, was taken up and laid upon the table.

A bill in favor of Thomas N. Alexander, late sheriff of Mecklenburg county, was read the second time, and, on motion, indefinitely postponed.

A bill to authorize Louis S. Hartley, late sheriff of Mecklenburg County, to collect the arrears of taxes due him, was read the second time and passed; the rule being suspended, the same was read the third time and rejected.

A bill concerning the free passage of fish up Neuse river, was read the second time, and made the special order for Monday next at 9 o'clock, P. M.

Also, a bill to repeal an act passed at the session of 1850-51, authorizing Josiah O. Watson to construct a dam on Neuse river, was taken up, and made the special order for the same hour.

The House now adjourned to to-morrow morning, 10 o'clock.

SATURDAY, FEBRUARY 3, 1855.

Mr. Jenkins presented the following resolution, which was read and referred to the committee on education:

Resolved, That the literary board be authorized and required to invest in the purchase of State bonds, the whole of the literary fund not otherwise invested.

Mr. Amis introduced a bill to incorporate the trustees of Granville Institute, which was read the first time and passed.

Mr. Mebane, a bill supplemental to an act passed at the present session of the General Assembly, entitled an act to incorporate the Caswell and Alamance Plankroad Company, which was read the first time and passed; the rule being suspended the same was read the second time.

Mr. Jenkins submitted the following amendment, which was rejected:

Be it enacted, That three thousand dollars be, and the same is hereby appropriated to construct a plankroad from Warrenton to the Warrenton depot, in the county of Warren, and that the treasurer be authorized to pay over the same to the commissioners to be appointed, whenever private individuals, shall subscribe, pay in and expend the sum of fifteen hundred dollars.

Mr. Jordan submitted the following amendment:

Be it further enacted, That five thousand dollars be, and the same is hereby appropriated to construct a plankroad from to Elizabeth city in Pasquotank county, and that the treasurer be authorized to pay over the same to the commissioners hereafter to be appointed, whenever private individuals pay in and expend two thousand dollars.

Mr. S. A. Williams moved to lay the bill and amendment upon the table, which was carried; yeas 68, nays 36.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Baxter, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, D. F. Caldwell, Cansler, Chadwick, Cofield, Cotton, Craven, Daniel, Daughtry, Dortch, Dunn, Flynt, Furr, Gorrell, G. Green M. Green, A. D. Headen, Hill, Holland, Horton, Jenkins, Love, McDuffie, Mc-Millan, Meares, Mordecai, J. W. Neal, Norment, Outlaw, Parks, Patton, Perkins, Rand, Regan, Roland, Rose, Russell, Selby, Shaw, Shepherd, Simmons, Singeltary, Smallwood, Smith, Tomlinson, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—68.

Those who voted in the negative, were,

Messrs. Barringer, Black, J. G. Bynum, Carmichael, Cook,

Gentry, Gilliam, Harrison, J. H. Headen, Houston, Humphrey, Jarvis, Johnson, Jones, Jordan, H. Leach, J. M. Leach, Long, McKesson, Mann, March, Mebane, Myers, S. J. Neal, Oglesby, Patterson, Sharpe, Sherrill, Steele, Stubbs, Sutton, Turner, N. B. Whitfield, Whitlock, Wilkins and C. W. Williams—36.

On motion by Mr. Mebane, the motion heretofore made and laid upon the table, to reconsider the vote by which was rejected, the bill to improve the road from John Kenedie's, to the top of the Blue Ridge, was taken up and carried.

The said bill having been before read the second time, was now passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

On motion by Mr. Humphrey, the vote by which the engrossed bill to incorporate the New River Navigation Company was passed its third reading was reconsidered, and amended by striking out in the 12th line of the 11th section, "Seventy-five thousand," and inserting "Twenty thousand," and in the 6th line of the same section, by striking out "Twenty-five thousand," and inserting "Ten thousand;" the bill as amended, now passed its third reading, and the Senate was informed by message.

Mr. Singeltary introduced a bill to provide for a survey, for a railroad from Beaufort to Ashville, which was read the first time and passed.

The engrossed bill to authorize the Cape Fear and Deep River Navigation Company, to issue bonds, and for other purposes, was taken up and read the second time and passed.

On motion by Mr. Cotton, the rule was suspended, and the bill was read the third time, passed and ordered to be enrolled.

The engrossed bill to charter the Fayetteville and Greensboro' Railroad Company, was now taken up and read the second time; pending the consideration of which the hour arrived, and the House took a recess.

Three o'clock, P. M.

The House now resumed the consideration of the bill to charter the Fayetteville and Greensboro' Railroad Company, and Mr. Singeltary submitted the following amendment: In the first section strike out "Greensboro'," and insert "Coal Fields;" which was adopted: yeas 51, nays 36.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Baxter, Black, Bogle, Bryson, Cansler, Carmichael, Cofield, Cook, Garland, G. Green, Harrison, A. D. Headen, J. H. Headen, Horton, Humphrey, Jarvis, Jones, H. Leach, Love, McDuffie, McKesson, McMillan, March, Meares, S. J. Neal, Norment, Oglesby, Patterson, Patton, Regan, Roland, Rose, Russell, Sharpe, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Steele, Sutton, Vance, G. M. White, J. H. White, N. B. Whitfield, Whitlock, Wilkins, C. W. Williams, T. H. Williams, Wright and Yancey—51.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, Barringer, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Daniel, Dunn, Furr, Gilliam, Gorrell, M. Green, Hill, Horton, Jenkins, Johnson, Long, Mann, Mebane, Mordecai, J. W. Neal, Selby, Settle, Smallwood, Smith, Stubbs, Watts, Waugh, Whitaker, L. Whitfield, B. F. Williams, S. A. Williams and Winston—36.

The engrossed bill from the Senate to incoporate a company to construct a ship canal to unite the waters of Albemarle, Currituck and Pamlico Sounds with Chesapeak Bay, and for other purposes, was now taken up and read the second time and passed; yeas 72, nays 14.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs Amis, Badham, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bryson, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Daniel, Dunn, Eure, Garland, Gilliam, Gorrell, G. Green, A. D. Headen, J. H. Headen, Holland, Horton, Humphrey, Jarvis, Jordan, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Patterson, Patton, Perkins, Regan, Roland, Russell, Selby, Sharpe, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Steele, Stubbs, Vance, Watts, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston and Yancey—72.

Those who voted in the negative, were,

Messrs. A. Barnes, Bullock, Craven, Daughtry, Flynt, M.

Green, Hill, Jenkins, Mann, J. W. Neal, Steele, Simmons, Waugh and C. W. Williams—14.

On motion by Mr. S. A. Williams, the rule was suspended, and the bill was read the third time, passed, and ordered to be enrolled.

On motion by Mr. Singeltary, leave of absence was granted to Mr. Whitlock for one week from and after Monday next.

On motion by Mr. Steele, leave of absence was granted to Mr. Myers for the remainder of the session from and after this day.

The House now adjourned to Monday morning 10 o'clock.

MONDAY, FEBRUARY 5, 1855.

The Speaker announced the following committee on enrolled bills:

Messrs. Jordan, Phillips, Outlaw, T. H. Williams and Mebane. Mr. Settle, from the committee on claims, to whom was referred a resolution in favor of D. D. Baker and others, reported a substitute therefor, and recommended its passage.

Mr. Carmichael, from the committee on internal improvements, to whom was referred a bill to incorporate the Pasquotank and Perquimons Plankroad Company, reported the same back to the House and recommended its passage.

Mr. Steele, from the committee on private bills, to whom was referred a bill to authorize Alexander M. Booe, sheriff of Davie county, to collect arrears of taxes due him, and the same extended to the collection of taxes due to W. B. March, reported the same back to the House and recommended that it do not pass.

Mr. Baxter, from the sélect committee, to whom was referred an engrossed bill to incorporate the Western North Carolina Railroad Company, reported the same back to the House with sundry amendments, and on his motion, the bill was made the special order for this day, at 12 o'clock.

Mr. Amis introduced a bill to incorporate the Union Agricultural Society of Virginia and North Carolina;

Which was read the first time and passed, and referred to the committee on agriculture.

Mr. George Green, a bill to provide for an arsenal in the town of Newbern;

Which was read the first time and passed.

Mr. Vance, a bill to authorize county and town subscriptions to French Broad and Greenville Railroad company;

Which was read the first time and passed, and referred to the committee on the judiciary.

Mr. John G. Bynum, a bill to require solicitors of the several circuits, to attend the session of the General Assembly;

Which was read the first time and passed, and referred to the committee on the judiciary.

Mr. C. W. Williams, a bill to repeal the incorporation of the town of Jonesville, in the county of Yadkin;

Which was read the first time and passed, and referred to the committee on propositions and grievances.

On motion by Mr. Amis, the bill to amend the charter for the better regulation of the town of Henderson in the county of Granville, was taken from the table, the same having been read the second time.

The amendment recommended by the committee on corporations, "to strike out the 18th section," was adopted; and

Mr. Amis moved to amend, by inserting in place of said section, the following:

The county court shall not grant to any person, license to retail spirituous liquors within the limits of the corporation hereby created, unless such person, at the time of making application for the same, shall produce a certificate, under the hand and seal of the magistrate of police of the corporation, setting forth that a majority of the commissioners have consented for the application to be made; nor shall it be lawful for any person to sell, within the limits aforesaid, any spirituous liquors, in quantities less than a gallon, unless he shall first obtain from the commissioners aforesaid, a license to do so; which license, when granted, shall be in force one year, and no longer: and any person selling contrary to the provisions of this section, shall forfeit to the commissioners. twenty-five dollars for the first, and fifty dollars for every new offence, to be recovered by warrant, before any justice of the peace for the county, with the same right of appeal as is provided in section 4th of this act.

Which was rejected; yeas 46, nays 47.

The yeas and nays demanded by Mr. Bullock.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryant, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Craven, Daniel, Garland, Gilliam, Gorrell, G. Green, Grist, Harrison, Johnson, Jordan, H. Leach, J. M. Leach, Love, McKesson, McMillan, Meares, Mebane, S. J. Neal, Outlaw, Parks, Perkins, Russell, Sharpe, Shepherd, Simmons, Smith, Steele, Stubbs, Sutton, Vance, Wilkins, B. F. Williams, T. H. Williams, Winston and Yancey—46.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Blow, Bryant, Bullock, Carmichael, Daughtry, Dortch, Dunn, Flynt, Furr, Gentry, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Houston, Jarvis, Jenkins, Long, McDuffie, Mann, Mordecai, J. W. Neal, Oglesby, Patton, Rand, Regan, Rose, Selby, Settle, Shaw, Sherrill, Singeltary, Smallwood, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, C. W. Williams, D. Williams, S. A. Williams and Wright—47.

The bill, as amended, passed its second reading.

The engrossed bill concerning the Fayetteville and Central Plankroad Company, was taken up and read the second time; when

Mr. Winston submitted the following amendments:

The directors of said company shall declare a semi-annual dividend of profits, to wit: on the 15th June and 15th December of each year," to come in as a second proviso to section 6.

Which amendment was adopted.

Also, add the following section:

Be it further enacted, That the State shall be entitled to have a number of directors in said company, to be appointed by the Governor, in proportion to the stock owned by the State.

Which was adopted.

Mr. J. W. Neal submitted the following amendment:

Be it further enacted, That the treasurer of the State be hereby authorized and required to subscribe twenty-five thousand dollars to the capital stock of the Greensboro' and Madison Plankroad Company.

To which amendment Mr. Singeltary offered the following:

And to any plankroad in this State, on the same terms and conditions as herein prescribed, a sum equal to one thousand dol-

lars per mile for so much of the same as may be already completed.

The question being first taken upon the latter amendment, it was rejected.

Mr. Singeltary moved that the bill and pending amendments be indefinitely postponed.

Which was disagreed to; yeas 18, nays 79.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Bryant, Bullock, J. B. Bynum, Daughtry, Dunn, M. Green, Grist, Harrison, Hill, Jenkins, Perkins, Singeltary, Smallwood, Tomlinson, D. Williams and S. A. Williams—18.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Black, Blow, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Dortch, Eure, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, A. D. Headen, J. H. Headen, Holland, Horton, Houston, Humphrey, Jarvis, Johnson, Jordan, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Norment, Oglesby, Parks, Patterson, Patton, Rand, Regan, Roland, Rose, Russell, Settle, Sharpe, Shaw, Shepherd, Sherrill, Simmons, Steele, Sutton, Turner, Vance, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, T. H. Williams, Winston and Wright—79.

The question recurring upon the pending amendment, submitted by Mr. J. W. Neal, it was rejected.

Mr. Flynt, submitted the following amendment:

Be it further enacted, That the treasurer be authorized to subscribe, on the part of the State, twenty-five thousand dollars for the building and completion of the Salem, Winston and Virginia Plankroad Company.

Which was rejected.

The bill as amended, then passed its second reading; yeas 65, nays 38.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Blow, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Dargan, Dortch, Eure, Furr, Garland, Gentry, Gilliam, G. Green, Harrison, A. D. Headen, J. H. Headen, Houston, Humphrey, Jarvis, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Regan, Roland, Rose, Russell, Sharpe, Shaw, Sherrill, Steele, Stubbs, Sutton, Vance, J. H. White, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, T. H. Williams and Winston—65.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Daughtry, Dunn, Flynt, Gorrell, M. Green, Grist, Hill, Holland, Horton, Jenkins, Johnson, Jordan, J. W. Neal, Patton, Perkins, Rand, Selby, Settle, Simmons, Singeltary, Smallwood, Smith, Tomlinson, Turner, Waugh, Whitaker, G. M. White, L. Whitfield, D. Williams, S. A. Williams, Wright and Yancey—38.

A bill to provide for draining swamp lands, in the county of Pitt, was taken up and read the second time, and

Mr. Blow offered a substitute for the same, which was adopted; and the bill, as amended, was rejected: yeas 33, nays 55.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Baxter, Blow, J. G. Bynum, A. H. Caldwell, Carmichael, Chadwick, Cofield, Dargan, Eure, A. D. Headen, J. H. Headen, Houston, Humphrey, Jarvis, J. M. Leach, McDuffie, McKesson, McMillan, Mann, March, Oglesby, Regan, Roland, Selby, Shaw, Shepherd, Singeltary, Steele, Sutton, Watts, N. B. Whitfield, D. Williams and Wright—33.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Black, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, D. F. Caldwell, Craven, Daniel, Daughtry, Dortch, Dunn, Flynt, Furr, Garland, Gorrell, M. Green, Grist, Harrison, Hill, Holland, Horton, Jenkins, Johnson, Jordan, H. Leach, Long, Love, Meares, Mebane, J. W. Neal, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Rand, Sherrill, Simmons, Smallwood, Smith, Stubbs, 'Tomlinson, 'Turner, Vance,

Waugh, G. M. White, J. H. White, L. Whitfield, B. F. Williams, S. A. Williams, Winston and Yancey—56.

The House now proceeded to the consideration of the special order of the day, being the engrossed bill to incorporate a plankroad from Mocksville to Wilkesboro', and to provide a subscription of stock on the part of the State.

The same was read the second time, when Mr. Jenkins moved the indefinite postponement of the bill;

Which was disagreed to; yeas 17, nays 72.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Bryant, J. B. Bynum, Daughtry, Dunn, Hill, Jenkins, Jordan, J. W. Neal, Rand, Singeltary, Smallwood, Tomlinson, Watts, L. Whitfield and S. A. Williams—17.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Dargan, Dortch, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Holland, Horton, Houston, Humphrey, Jarvis, Johnson, H. Leach, J. M. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Mebane, Mordecai, S. J. Neal, Norment, Ontlaw, Parks, Patterson, Patton, Perkins, Regan, Roland, Rose, Russel, Settle, Sharpe, Shaw, Shepherd, Sherrill, Simmons, Stubbs, Sutton, Turner, Vance, Waugh, Whitaker, G. M. White, Wilkins, B. F. Williams, C. W. Williams, D. Williams, T. H. Williams and Wright—72.

The question recurring upon the passage of the bill on its second reading, it was determined in the affirmative; yeas 57, nays 32.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Dargan, Dortch, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, A. D. Headen, Horton, Houston, Jarvis, Johnson, H. Leach, J. M. Leach, Long, McDuffie, McKesson, McMillan, Mann, March, Mebane, Mordecai, S. J. Neal, Norment, Oglesby,

Parks, Patterson, Patton, Regan, Roland, Russell, Sharpe, Shaw, Shepherd, Sherrill, Stubbs, Sutton, Vance, Waugh, Whitaker, B. F. Williams, C. W. Williams, T. H. Williams and Wright —57.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Craven, Daniel, Daughtry, Dunn, Eure, Grist, Harrison, Hill, Holland, Humphrey, Jenkins, Jordan, J. W. Neal, Rand, Selby, Simmons, Singeltary, Smallwood, Tomlinson, Turner, Watts, G. M. White, L. Whitfield, D. Williams, S. A. Williams and Winston—32.

So the bill passed its second reading; and

On motion by Mr. Dortch, the rule was suspended, and the same was read the third time, passed and ordered to be engrossed.

The engrossed bill to incorporate the Western North Carolina Railroad Company, being the special order for this day, at 12 o'clock, was now taken up, and pending the reading thereof, the hour arrived under the rule, and the House took a recess.

Three o'clock, P. M.

The House now resumed the consideration of the bill under consideration at the time of taking a recess; the same was read the third time, and the following amendments reported by the committee, were adopted:

1st. Strike out of the first section the following words: "with a capital stock of one million two hundred thousand dollars."

2nd. Add to the 3rd section as amended, "and at such other places and under the direction of such other persons as the general commissioners heretofore mentioned may appoint."

3rd. Strike out of the 5th section from the word "company," in the 8th line, to the word "and" in the 13th line.

4th. Strike out all of the 5th section after the word "State"

5th, Strike out the 10th section.

6th. Strike out of the 11th section in the 2d and 3d lines the following words, "survey aforesaid shall have been completed," and insert "company shall be organized as aforesaid."

7th. Strike out of the 11th section all after the word "afore-said" in the 52d line, and insert "provided the State shall not be

required to subscribe as aforesaid until five per centum of the individual stock is paid, nor pay more than \$400,000 in any one year.

8th. Insert between the words "and" and "shall," in the 49th line of the 11th section, "when the same;" and between the words "be" and "in," insert the word "put."

9th. Add to the 13th section, "and the bona fide owner of at least five shares of stock in said company."

10th. Strike out all after the word "elected," in the 6th line of the 14th section.

11th. Strike out the 21st section.

12th. Strike out the amendment made in this House to the 30th section, and insert, "and other roads may hereafter connect with or cross the same upon such terms as the General Assembly may prescribe."

13th. Strike out of the 31st section from the word "road" in the 20th line, so as to include the words "no longer" in the 28th line, and insert, "and in the absence of any contract or contracts in relation to lands through which said road may pass, it shall be presumed that the land over which said road may be constructed, together with one hundred feet on each side thereof, has been granted by the owner or owners to the company, and the said company shall have good right and title thereto, and shall have, hold, and enjoy the same so long as it shall be used for the purposes of said road and no longer, unless the owner or owners shall apply for an assessment of the value of said land as herein before directed, within two years next after that part of said road has been located; and in case the owner or owners of such lands, or those claiming under him, her or them shall not apply within two years from the time aforesaid, he, she or they shall be forever barred from recovering the same, or having an assessment or compensation thereof: Provided, That nothing herein contained shall affect the rights of infants, feme coverts, persons non compos, or beyond seas, until two years after the removal of their respective disabilities "

14th. Insert in the 3d line from the bottom, in the 33d section, after the word "servant," "of the owner."

15th. Strike out of the 9th line of the 38th section "as," and insert "which."

16th. Strike the following words out of the 43d section: "The division of said railway, upon the construction of which, after the survey aforesaid in section ten of this act, with its equipments," and insert "the first division of said road."

17th. Insert in the same section, after the word "belonging," in the 8th line, the word "and."

18th. Strike out the words "has been," in the 10th line of said section.

Mr. Singeltary submitted the following amendment:

Prvvided, That the State of North Carolina shall not be called on to pay a greater amount than eight hundred thousand dollars, without the consent and authority of the next or a succeeding legislature.

Which was rejected; yeas 28; nays 72.

The yeas and nays demanded by Mr. Singeltary,

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Daughtry, Flynt, M. Green, Hill, Holland, Horton, Humphrey, Jenkins, Jones, Rand, Selby, Settle, Shaw, Singeltary, Smallwood, Tomlinson, Watts, Waugh, L. Whitfield, D. Williams, S. A. Williams and Winston—28.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler Carmichael, Chadwick, Cofield, Cook, Craven, Dargan, Dortch, Dunn, Eure, Furr, Garland, Gilliam, Gorrell, G. Green, Grist, A. D. Headen, J. H. Headen, Houston, Johnson, Jordan, H. Leach, J. M. Leach, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Regan, Roland, Rose, Russell, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Smith, Steele, Sutton, Turner, Vance, Whitaker, G. M. White, J. H. White, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, Wright and Yancey—72.

Mr. Singeltary then submitted the following amendment:

Provided, That the State shall not be hereby committed to the subscription of stock for extending the road farther west than the base of the Blue Ridge, without the consent of the next or a succeeding legislature.

Which amendment was rejected; yeas 24, nays 70.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Daniel, Daughtry, Flynt, M. Green, Hill, Houston, Humphrey, Jenkins, Rand, Singeltary, Smallwood, Tomlinson, Watts, Waugh, L. Whitfield,, D. Williams, S. A. Williams and Winston—24.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Dargan, Dortch, Dunn, Eure, Furr, Garland, Gilliam, Gorrell, G. Green, A. D. Headen, Holland, Horton, Johnson, Jones, Jordan, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Phillips, Regan, Roland, Rose, Russell, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Smith, Steele, Sutton, Turner, Vance, G. M. White, J. H. White, Wilkins, B. F. Williams, C. W. Williams, Wright and Yancey—70.

Mr. Whitaker submitted the following amendment:

And be it further enacted, That the directors on the part of the State, shall be appointed immediately after the organization of said company, and before any contracts for work shall be made for said road; which amendment was rejected.

Mr. Garland submitted the following amendment:

Strike out Swananoa Gap, and insert "the head of the Mile Creek," and after the word "French Broad," insert "or to the Tennessee line, in the direction of Jonesborough, Tennessee;" which amendment was rejected.

Mr. G. M. White presented the following amendment:

Strike out "at or near Statesville;" which was rejected.

The following remaining amendments, reported by the committee, were now adopted; to wit:

Strike out A. H. Caldwell's amendment, in the 25th section, and insert after the word "road," in the third line, "not to exceed six millions of dollars."

Strike out of the 46th section the word "may," in the 7th line, and insert "shall."

The said bill, as amended, now passed its third reading; yeas 66, nays 35.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Dargan, Dunn, Furr, Garland, Gorrell, G. Green, Grist, J. H. Headen, Holland, Horton, Houston, Humphrey, Johnson, Jordan, H. Leach, J. M. Leach, Love, McDuffie, McKesson, McMillan, Mann, Meares, Mebane, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Parks, Patterson, Patton, Phillips, Regan, Roland, Rose, Russell, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Steele, Sutton, Turner, Vance, Whitaker, G. M. White, N. B. Whitfield, Wilkins, B. F. Williams, Wright and Yancey—66.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Daniel, Daughtry, Dortch, Eure, Flynt, Gilliam, M. Green, A. D. Headen, Hill, Jenkins, Jones, Long, J. W. Neal, Perkins, Rand, Selby, Settle, Singeltary, Smallwood, Synth, Stubbs, Tomlinson, Watts, Waugh, L. Whitfield, C. W. Williams, D. Williams, S. A. Williams and Winston—35.

The House now took a recess.

Seven o'clock, P. M.

Received from the Senate a message, informing the House that they have disagreed to the amendment proposed by the House, to the engrossed bill concerning agriculture and geology.

Whereupon, the House receded from its amendment; yeas 54,

nays 40.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Black, Blow, Bogle, Bryson, J. B. Bynum, J. G. Bynum, A. H. Caldwell, Chadwick, Cook, Daniel, Gilliam, Gorrell, J. H. Headen, Houston, Humphrey, Johnson, Jones, Jordan, H. Leach, Long, Love, McDuffie, McKesson, Mann, Meares, Mordecai, S. J. Neal, Norment, Oglesby, Outlaw, Patterson, Patton, Rand, Roland, Selby, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood,

Smith, Steele, Stubbs, Sutton, Vance, Whitaker, J. H. White, N. B. Whitfield and Wilkins—54.

Those who voted in the negative, were,

Messrs. A. Barnes, Bryant, Bullock, D. F. Caldwell, Carmichael, Daughtry, Eure, Flynt, Furr, Garland, Gentry, G. Green, M. Green, A. D. Headen, Hill, Holland, Horton, Jarvis, Jenkins, J. M. Leach, March, Mebane, J. W. Neal, Perkins, Phillips, Regan, Rose, Russell, Sharpe, Tomlinson, Turner, Watts, Waugh, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—40.

And the bill was ordered to be enrolled.

The engrossed bill concerning Idiots and Lunatics was read the first time and passed; the rule being suspended, the same was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill concerning pilots was read the first time and passed; the rule being suspended, the same was read the second time; when

Mr. Stubbs submitted the following amendment:

Amend the 32nd section, by striking out the words, "the same sum" in the 3d line, and insert "half the sum."

Which amendment was rejected, and the bill passed its second reading.

A bill authorizing the commissioners of the town of Salisbury to subscribe for stock in the Western Railroad Company, and in the Salisbury and Mocksville Plankroad Company, was read the second time, and the amendments reported by the committee on corporations adopted, and the bill, as amended, passed its second reading; the rule being suspended, the same was read the third time, passed, and ordered to be engrossed.

Mr. Phillips presented the following resolution, and the rule being suspended, it was read and adopted:

Resolved, That rule 31st of this House, so far as it prevents bills, &c., from being sent to the Senate, until a day shall have elapsed after their passage, be and the same is hereby repealed.

Received from the Senate a message, accompanied by the following resolution passed by that body, in which they ask the agreement of the House, viz.

Resolved, That the following proviso be added to the 6th joint rule of the two Houses, to wit:

Provided, however, That where a private bill has passed both Houses, and the engrossed bill has not been amended or modified in its passage, then such engrossed bill, having no interlineations or erasures, may be used as the enrolled bill; and upon being duly examined and certified, shall be presented for ratification.

Which amendment was agreed to.

The hour having now arrived, the House proceeded to the consideration of the special order, being

A bill to repeal an act passed at the session of 1850-'51, authorizing Josiah O. Watson to construct a dam on Neuse river; the same was read the second time, when

Mr. Mordecai offered the following resolution as a subsitute; which was adopted, and ordered to be engrossed:

Whereas, the act authorizing Josiah O. Watson, of Johnston county, to construct a dam on Neuse river, passed at the session of 1850-'51, required in the second section thereof, that the said Watson should construct the said dam with a slope fifteen feet wide, so as not to obstruct the passage of fish up said river, and whereas there is much complaint amongst the good citizens of the counties of Johnston and Wake, residing above and near the point at which said dam has been constructed, that the provisions of the above recited act have been most grossly disregarded and violated by the erection of a dam at the point, not in accordance with the requisition of the said act, and which actually obstructs the passage of fish up said river Neuse, much to the injury of all persons concerned, and in violation of assurances given when the said act was passed; as well as in direct violation of the express provisions of the said act:

Resolved, That the Attorney General of the State enquire into the facts connected with the aforesaid alledged grievance of the good citizens residing above and near the place at which said dam is constructed; and that, should he find the facts above set forth be true, or the existence of any such grievances as are complained of, that he institute such proceedings in the superior court of law of Johnston county, as the law points out in cases of this kind; so that such grievance may be remedied, and such nuisance abated.

The House now adjourned to to-morrow morning, 10 o'clock.

TUESDAY, FEBRUARY 6, 1855.

On motion by Mr. J. M. Leach, leave of absence was granted to Mr. R. H. Parks, from and after to-day.

Mr. J. M. Neal, presented a memorial from citizens of Mc-Dowell county, opposing the erection of a new county called Golden Valley; which was laid upon the table.

Mr. Walser presented a resolution in favor of J. D. Harris;

Which was read the first time and passed.

Mr. Smith submitted a resolution authorizing the librarian to have erected in the engrossing clerk's room, suitable shelves for the preservation of geological, mineralogical and agricultural specimens;

Which was read the first time and passed;

The rule being suspended, the same was read the second and third time, passed and ordered to be engrossed.

Mr. J. M. Leach introduced a bill to incorporate the Female Normal Institute in the county of Carteret;

Which was read the first time and passed.

Mr. Jones, a bill to amend an act passed at the session of 1852-'53, entitled an act concerning the place of trial for civil process, returnable before justices of the peace;

Which was read the first time and passed.

Mr. Love, a bill to establish the county seat of Madison;

Which was read the first time and passed, and referred to the committee on the judiciary.

Mr. McMillan, a bill supplemental to an act passed at the session of 1850-'51, entitled an act to enlarge the powers of the commissioners of the town of Wilmington;

Which was read the first time, passed and referred to the committee on the judiciary.

Mr. Patton, a bill to incorporate the Haywood Mining and Manufacturing Company;

Which was read the first time and passed.

Mr. Houston, a bill to incorporate Magnolia Male Institute;

Which was read the first time and passed.

The engrossed resolution in favor of Bryant R. Hinnant, was read the first time and passed.

The rule being suspended, the same was read the second and third time, passed and ordered to be enrolled.

Mr. Waugh, from the committee on propositions and grievances, reported favorably the bill to alter the county line of Watauga county.

Also, a bill to amend an act passed in 1852, entitled an act to incorporate the town of Kenansville; and

Also, a bill to alter the line between the counties of Madison and Buncombe.

And unfavorably, a bill to amend an act, appointing commissioners to lay off a road from Salisbury to the Virginia line.

Received from the Senate a message agreeing to the proposed amendment to the engrossed bill from the Senate to incorporate the New River Navigation Company, and a bill to incorporate the McCulloch Copper and Gold Mining Company, and the said bills were ordered to be enrolled.

Also, a message informing the House that they have passed the following engrossed bills from the House, with amendments thereto, in which they ask the concurrence of the House, to wit:

A bill to establish the town of Magnolia, in the county of Duplin, and to incorporate the commissioners of said town;

A bill to amend an act entitled an act to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company;

A bill to lay off and establish a county by the name of Wilson;

A bill for the protection of sheep;

A bill concerning the Wilmington and Raleigh Railroad Company;

A bill to incorporate Columbia and Charlotte Magnetic Telegraph Company;

A bill for the better regulation of the town of Franklinsville, in the county of Randolph;

A bill in favor of Wm. N. Brooks, of the county of Hyde; and A resolution in favor of Robert Martin, of Cherokee county.

Which amendments were severally agreed to, and the Senate informed thereof by message.

Received from the Senate a message proposing to raise a committee of two on the part of each House, to examine into the expediency of appointing a State Engineer to superintend all the public improvements, and to inquire into the economy of such appointment:

Which was concurred in; and the Chair appointed Messrs. Singeltary and J. G. Bynum said committee, and the Senate was informed thereof by message.

On motion by Mr. Winston, the engressed bill concerning the Fayetteville and Centre Plankroad Company was taken up, and read the third time; when

Mr. Furr submitted the following amendment:

Be it further enacted, That ten thousand dollars of the subscription herein authorized on the part of the State, be expended in the construction and continuation of the said plankroad, on the west side of the Peedee river, to the town of Albemarle.

To which amendment, Mr D. F. Caldwell presented the fol-

lowing amendment:

Be it further enacted, That the public treasurer be and he is hereby authorized to subscribe fifty thousand dollars to the capital stock of the Greensboro' and Madison Plankroad Company, and that the president of said road be authorized and required to issue certificates of stock in said road to the full amount of said subscription, and deliver the same to the Treasurer of the State, so soon as the subscription of the State is paid.

Which amendment was rejected.

The question now recurring upon the amendment submitted by Mr. Furr, it was adopted.

Mr. Waugh presented the following amendment:

Be it further enacted, That the treasurer be authorized to subscribe, on the part of the State, ten thousand dollars, to the Clemmonsville and Salem Plankroad; also, a like sum of ten thousand dollars, to connect by a Plankroad the navigable waters of the Yadkin river with the Fayetteville and Western Plankroad, at a point $2\frac{1}{2}$ miles east of Salem;

Which amendment was rejected.

The bill, as amended, now passed its third reading; yeas 59, nays 36.

The yeas and nays demanded by Mr. Bullock.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Eure, Furr, Garland, Gentry, G. Green, Grist, A. D. Headen, J. H. Headen, Houston, Humphrey, Johnson,

H. Leach, Love, McDuffie, McKesson, McMillan, March, Meares, Mebane, S. J. Neal, Norment, Oglesby, Patton, Perkins, Phillips, Regan, Roland, Russell, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Steele, Stubbs, Sutton, Vance, Walser, J. H. White, N. B. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Winston, Wright and Yancey—59.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Daughtry, Dortch, Dunn, Flynt, Gorrell, M. Green, Hill, Holland, Horton, Jenkins, Jones, Jordan, Mann, J. W. Neal, Rand, Settle, Simmons, Singeltary, Smallwood, Smith, Tomlinson, Watts, Waugh, Whitaker, G. M. White, L. Whitfield, D. Williams and S. A. Williams—36.

On motion by Mr. Cofield, the bill to lay off and establish a new county by the name of Cape Fear, was taken up and read the third time; when

Mr. Steele moved to amend the bill, by striking out "Cape Fear," and inserting "Harnett;" which was adopted.

Mr. Shepherd submitted the following amendment:

Beginning at the intersection of the lines of Johnston and Sampson counties, on Black Mingo; thence a direct line to the mouth of Lower Little river; thence up said river to the bridge at Elliott's Mills; thence a straight line to the place on the Murchison road, where Hector's creek crosses; thence with said road to the Moore county line; thence with said line to the Chatham county line; then with that to the Johnston county line; then with that to the beginning;

Which amendment was adopted.

The bill, as amended, then passed its third reading, and was ordered to be engrossed.

On motion by Mr. Humphrey, the engrossed bill to charter the Fayetteville and Greensboro' Railroad Company, was made the special order of this day at 3 o'clock.

On motion by Mr. Gilliam, the House resolved itself into committee of the whole, upon the subject of banks and banking, Mr. Shepherd in the chair; after some time spent in committee of the whole, the committee rose, the Speaker resumed the chair, and Mr. Shepherd reported progress, and asked leave to sit again.

The hour having now arrived, the House proceeded to the consideration of the special order made this morning for this hour, being the bill to charter the Fayetteville and Greensboro' Railroad Company; the same was read the third time, when Mr. Humphrey presented the following amendmend to the 44th section:

Provided, That the bonds of said company so endorsed by the treasurer of the State, shall in no case be sold for less than their

par value;

Which was read and adopted.

Mr. McDuffie submitted the following amendment:

Provided, That nothing herein contained shall be so construed as to mean that the treasurer of the State shall endorse the bonds of said company east of Fayetteville for more than eight thousand dollars per mile;

Which was adopted.

Mr. George Green submitted the following amendment:

Be it further enacted, That the company in extending said road east, may construct the same through to Beaufort Harbor, or to some point on the Atlantic and North Carolina Railroad, at or near Trenton, in the county of Jones;

To which amendment, Mr. Humphrey offered the following: Amend by striking out "at or near Trenton, in the county of Jones;"

Which latter amendment was adopted.

The question recurring upon the amendment submitted by Mr. Green, it was adopted; yeas 66, nays 29.

The yeas and nays demanded by Mr. George Green.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Bogle, Bryant, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Dortch, Dunn, Eure, Furr, Gorrell, G. Green, Harrison, A. D. Headen, J. H. Headen, Horton, Houston, Johnson, Jones, Jordan, H. Leach, J. M. Leach, Long, Love, McDuffie, McKesson, Manu, Mebane, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Phillips, Rand, Roland, Russell, Sharpe, Shaw, Shepherd, Shipp, Simmons, Smallwood, Smith, Steele, Stubbs, Turner, Vance, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams and T. H. Williams—66.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bullock, A. H. Caldwell, Cansler, Daughtry, Flynt, Garland, Gentry, M. Green, Hill, Holland, Humphrey, Jenkins, McMillan, March, Meares, Norment, Oglesby, Regan, Singeltary, Sutton, Tomlinson, Whitaker, S. A. Williams and Yancey—29.

Mr. J. G. Bynum submitted the following amendment, to come in after the proviso offered by Mr. McDuffie:

Provided further, That no endorsement of the bonds of said company shall be made by the public treasurer until 15 miles of said road shall be completed and equipped, and until a mortgage shall be executed to the Governor of the State of North Carolina for said road and equipments, according to the rules and regulations, and upon the same terms and conditions, and with the same provisions as are contained in the act passed at the present session of the General Assembly, entitled an act to incorporate the Wilmington and Charlotte Railroad Company, directing the endorsement of the bonds of said company, nor shall any further endorsements be made until the said company shall expend the money derived from said bonds upon said road, and another section of fifteen miles shall be completed by individual subscription, and the whole shall be conveyed by mortgage as heretofore prescribed;

Which was adopted.

Mr. Winston submitted the following amendment:

"Strike out the 41st and 42d sections of the bill;" which amendment was rejected; yeas 45, nays 52.

'The yeas and nays demanded by M. Winston.

Those who voted in the affirmative, were,

Messis. Badham, A. Barnes, Bryant, Bryson, Bullock, J. B. Bynum, D. F. Caldwell, Daniel, Dortch, Dunn, Flynt, Furr, Gorrell, M. Green, Harrison, Hill, Holland, Horton, Jarvis, Johnson, Jordan, H. Leach, Long, Mann, Mebane, Mordecai, J. W. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Settle, Shipp, Smallwood, Smith, Stubbs, Tomlinson, Turner, Waugh, Whitaker, C. W. Williams, S. A. Williams, Winston and Wright—45.

Those who voted in the negative, were,

Messfs. J. Barnes, Baxter, Black, Blow, Bogle, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook,

Craven, Daughtry, Eure, Garland, Gentry, G. Green, A. D. Headen, J. H. Headen, Houston, Humphrey, Jenkins, Jones, Love, McDuffie, McKesson, McMillan, March, Meares, S. J. Neal, Norment, Oglesby, Regan, Roland, Sharpe, Shaw, Shepherd, Simmons, Singeltary, Steele, Sutton, Vance, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, T. H. Williams and Yancey—52.

The hour having now arrived under the rule, the House took a recess.

Seven o'clock, P. M.

A bill to amend the charter of the town of Salisbury was read the second time, and Mr. A. H. Caldwell submitted the following amendment:

Be it further amended, That no one shall sell spirituous liquors within the corporate limits of the town of Salisbury, without a license from the board of commissioners, in a less quantity than five gallons, except for sacramental, medicinal and mechanical purposes, and that no one shall have a license to sell spirituous liquors within the coporate limits of said town, unless a majority of the voters of the town shall so decide, at an election to be held for that purpose under the control of the commissioners of said town; and that the commissioners of said town, shall have power to levy and collect from all persons retailing or selling spirituous liquors in said town, a tax of not less than fifty dollars, or more than one thousand dollars, for such purposes as said commissioners may deem right and best for the interest of said town; which amendment was adopted: yeas 42, nays 31.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affiirmative, were,

Messrs. Badham, Barringer, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Cook, Craven, Daniel, Dortch, Eure, Garland, Gentry, Gilliam, Gorrell, J. H. Headen, Horton, Jenkins, Johnson, Jordan, H. Leach, McMillan, Mebane, S. J. Neal, Oglesby, Patton, Phillips, Regan, Russell, Sharpe, Shaw, Shipp, Steele, Stubbs, Turner, Vance, L. Whitfield, Wilkins, B. F. Williams and Yancey—42.

Those who voted in the negative, were,

Mescrs. A. Barnes, J. Barnes, Bryant, Bullock, Daughtry, Flynt, M. Green, A. D. Headen, Hill, Jones, Long, Lyon, McDuffie, Mann, March, Meares, Mordecai, J. W. Neal, Rand, Roland, Rose, Selby, Singeltary, Watts, Waugh, Whitaker, J. H. White, N. B. Whitfield, C. W. Williams, D. Williams, S. A. Williams and Wright—31.

The bill as amended passed its second reading; and the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

Mr. Barringer moved to reconsider the vote by which said bill was passed, with a view to amend the amendment submitted by Mr. A. H. Caldwell; which motion was disagreed to.

The following bills were read the second time and passed; the rule being suspended, the same were severally read the third time and passed, without amendment, and ordered to be engrossed:

A bill to prevent obstructions to the free passage of fish in Shooting creek, in the county of Cherokee;

A bill to incorporate the Wacamaw and Shallotte Plankroad Company;

A bill to cede to the United States a tract of land near Wilmington;

A bill to authorize the corporation of the town of Charlotte to subscribe to certain railroads;

A bill to confirm a grant in favor of Wm. J. Potter and Joseph P. Robertson;

A bill to establish a toll bridge across Black river, in New Hanover county;

A bill to incorporate the Charlotte Gas Light Company;

A bill to amend an act, entitled an act to incorporate the town of Edenton;

A bill to incorporate the Laurel Turnpike Company;

A bill to incorporate the Kinston Female College;

A bill to increase the pay of witnesses in the county of Onslow;

A bill to incorporate the Chapel Hill and Durhamsville Plankroad Company;

A resolution in favor of J. W. Erwin, Adm'r,; and

A resolution in favor of John W. Garland.

The following bills were read the second time, amended and

passed; the rule being suspended, they were severally read the third time and passed, and ordered to be engrossed:

A bill to incorporate the Camden and Pasquotank New Cut

A bill to incorporate the Richland and New River Plankroad Company;

A bill to incorporate the Salem, Winston and Virginia Turn-pike and Plankroad Company;

A bill to amend the charter of the Charlotte and South Carolina Railroad Company;

A bill to prevent the felling of timber in the North East River in Duplin county;

A bill for the relief of Solomon Newton;

A bill to prevent the felling of timber in Big Brush Creek, in Randolph county;

A bill to extend the limits of Ashborough, and repeal all former acts of incorporation;

A bill to incorporate the Ashville Mutual Insurance Company;

A bill to incorporate the Trenton and Hallsville Plankroad Company;

A bill to incorporate the Gold Hill Mining Company; and

A resolution in favor of Reuben Watts.

A bill to alter the county line between Caldwell and Watauga counties, was read the second time, and laid upon the table.

A bill to establish a public road in the county of Yancey, was read the second time; and

On motion by Mr. S. A. Williams, indefinitely postponed.

A bill to annex a part of Edgecombe county to Nash, was taken up and laid upon the table.

The House now adjourned to to-morrow morking 10 o'clock.

WEDNESDAY, FEBRUARY 7, 1855.

On motion by Mr. Dortch,

Ordered, That a message be sent to the Senate proposing to go into an election for commissioners of the Lunatic Asylum, this day at one o'clock.

Mr. George Green on behalf of Mr. Dargan, chairman of the committee on military affairs, submitted a report in regard to the public arms in the town of Newbern, and recommended the pas-

sage of the bill now on the table upon that subject, with an amendment.

Mr. Dortch, from the committee on the judiciary, to whom was referred a bill to authorize county and town subscriptions to French Broad and Greenville Railroad Company; and

A bill concerning the sale of rice in the town of Wilmington, reported the same back to the House and recommended that they do not pass.

Mr. Dortch, from the same committee, to whom was referred a memorial from the Wilmington and Manchester Railroad Company, praying the legislature to pass an act reducing the vote of the State, and of other stockholders in the meetings of said company, reported the same back to the House; and that it is inexpedient to reduce the vote of the State, and asked to be discharged.

Mr. J. G. Bynum, from the same committee, to whom was referred a bill to require the solicitors of the several circuits, to attend the sessions of the General Assembly, reported the same back to the House and recommended its passage.

Mr. Norment, from the committee on agriculture, to whom was referred a bill to incorporate the Union Agricultural Society of Virginia and North Carolina, reported the same back to the House and recommended that it do not pass.

Mr. Steele, from the committee on claims, to whom was referred a resolution in relation to Jacob Siler, reported the same back to the House with an amendment, and recommended its passage.

Mr. Outlaw introduced a bill concerning the treasury department:

Which was read the first time and passed, and referred to the committee on the judiciary.

Mr. Outlaw, from said committee, subsequently reported said bill back to the House and recommended its passage.

Mr. Bogle introduced a bill to authorize certain counties to subscribe stock to the Western North Carolina Railroad Company;

Which was read the first time and passed.

Mr. Vance, a bill to incorporate the Young Men's Literary Association, in Asheville, North Carolina; the same was read the first time and passed.

Mr. McKesson, a bill to enlarge the powers of the commission ers of Morganton; which was read the first time and passed.

Mr. Craven submitted the following resolution, which lies over one day, under the rule:

Resolved, That on any motion made to resolve this House into committee of the whole, or any motion to take up any bill out of committee, or any proposition for the committee to rise and report progress or otherwise, the vote shall be taken without debate.

The House now proceeded to the consideration of the unfinished business of yesterday, being the engrossed bill to charter the Fayetteville and Greensboro' Railroad Company.

On motion by Mr. J. G. Bynum, the vote by which was adopted the amendment submitted by him on yesterday to said bill, was reconsidered; whereupon he withdrew the amendment.

On motion by Mr. McDuffie, the vote by which was adopted the amendment submitted by him on yesterday, was reconsidered; whereupon he withdrew the amendment.

Mr. Sutton submitted the following amendment:

Strike out the words "Beaufort, or some other point on the Atlantic and North Carolina Railroad," and insert "Kinston, in Lenoir county;" which amendment was rejected.

Mr. Turner submitted the following amendment:

Strike out all that portion of the bill which contemplates constructing the road beyond Warsaw.

Pending the consideration of which, the hour arrived under the rule, and the House took a recess.

Three o'clock, P. M.

The House now resumed the consideration of the bill to charter the Fayetteville and Greensboro' Railroad Company, the question being on the amendment submitted by Mr. Turner, which amendment was rejected; yeas 34, nays 53.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, J. B. Bynum, D. F. Caldwell, Daniel, Eure, Furr, Garland, M. Green, Grist, Holland, Jenkins. Johnson, Jones, H. Leach, Long, Mann, Mordecai, Outlaw, Patterson, Patton, Phillips, Sharpe, Shipp, Smallwood, Smith, Stubbs, Turner, Waugh, Whitaker, J. H. White, S. A. Williams, Winston and Yancey—34.

Those who voted in the negative, were,

Messrs. A. Barnes, Baxter, Black, Blow, Bryant, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Daughtry, Dortch, Dunn, Gorrell, G. Green, J. H. Headen, Hill, Houston, Humphrey, Lyon, McDuffie, McKesson, McMillan, March, Martin, Mebane, J. W. Neal, Norment, Oglesby, Perkins, Regan, Roland, Rose, Russell, Settle, Shaw, Shepherd, Simmons, Singeltary, Steele, Sutton, Tomlinson, Watts, G. M. White, Whitaker, L. Whitfield, N. B. Whitfield, B. F. Williams and C. W. Williams—53.

Mr. Baxter submitted the following amendment:

Strike out of the 41st section the following: "Shall be commenced at the several points of Fayetteville, Beaufort harbor and Warsaw; and whenever a section of fifteen miles thereof shall be graded and ready to receive the superstructure, at either of the points adjacent to Fayetteville, Warsaw and Beaufort harbor," and insert:

"May be commenced at one or more points; and whenever fifteen consecutive miles of said road shall be completed, with iron weighing not less than 60 lbs. to the yard, with all necessary stations, warehouses, turnouts, cars, and motive power for the transportation of passengers and freight."

And after the words "one hundred and fifty thousand dollars" in the same section "for the section west of Fayetteville, and one hundred and twenty dollars for the section east of that point."

Which amendment was adopted.

Mr. Baxter submitted the following amendment, to be added to the bill:

Sec. 46. Be it further enacted, That the lien hereby created in favor of the State, shall have preference over all other liens or mortgages, and the bonds of the company endorsed by the State as aforesaid shall not be sold for less than par, and the funds realized therefrom shall be faithfully applied to the construction and equipment of said road, and for no other purpose whatever;

Which was adopted.

Mr. J. G. Bynum again offered the amendment, which was reconsidered and withdrawn by him this morning; which amendment was adopted.

The question now being taken upon the passage of the bill, as amended, its third reading, it was rejected; yeas 35, nays 62.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Baxter, J. B. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Cook, G. Green, A. D. Headen, J. H. Headen, Houston, Humphrey, Jones, H. Leach, Love, McDuffie, McKesson, McMillan, Meares, Norment, Oglesby, Regan, Roland, Rose, Russell, Shaw, Shepherd, Simmons, Steele, Sutton, Vance, G. M. White, J. H. White, N. B. Whitfield and T. H. Williams—35:

Those who voted in the negative, were,

Messrs, Badham, A. Barnes, J. Barnes, Barringer, Black, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Chadwick, Craven, Daniel, Dortch, Dunn, Eure, Flynt, Furr, Gentry, Gorrell, M. Green, Grist, Harrison, Hill, Holland, Horton, Jenkins, Johnson, Jordan, J. M. Leach, Long, Lyon, Mann, March, Martin, Mebane, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Settle, Sharpe, Shipp, Singeltary, Smallwood, Smith, Tomlinson, Turner, Watts, Waugh, Whitaker, L. Whitfield, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams and Winston—62.

Mr. Dortch moved that the vote by which said bill was rejected be reconsidered; which was carried; and

Mr. Outlaw then moved that the bill be indefinitely postponed; and the question thereon was determined in the affirmative: yeas 51, nays 45.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, Barringer, Blow, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Chadwick, Craven, Daniel, Dortch, Dunn, Eure, Furr, Gorrell, M. Green, Grist, Hill, Horton, Jenkins, Johnson, Jordan, Long, Lyon, Mann, March, Martin, Mebane, Mordecai, J. W. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Settle, Simmons, Singeltary, Smallwood, Smith, Sutton, Tomlinson, Turner, Watts, Waugh, Whitaker, L. Whitfield, B. F. Williams, S. A. Williams and Winston—51.

Those who voted in the negative, were,

Messrs. Baxter, Black, Bryson, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Cook, Flynt, Garland, Gentry, A. D. Headen, J. H. Headen, Holland, Houston, Jones, H. Leach.

J. M. Leach, Love, McDuffie, McKesson, McMillan, Meares, S.

J. Neal, Norment, Oglesby, Patton, Roland, Rose, Russell, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Steele, Vance, G. M. White, J. H. White, N. B. Whitfield, Wilkins, C. W. Williams and T. H. Williams—45.

So the said bill was indefinitely postponed.

Mr. Outlaw asked to be excused from serving on the committee on enrolled bills, which was granted.

Mr. McKesson asked for and obtained leave of absence for Mr. A. H. Caldwell, from and after to-morrow.

The House, under the joint order of the two Houses, now proceeded to ballot for nine directors of the Lunatic Asylum, under the superintendence of Messrs. Stubbs and Yancey, Messrs. N. G. Rand, S. A. Williams, W. C. Doub, G. W. Mordecai, G. H. Wilder, C. L. Hinton, A. T. Jenkins, J. A. Gilmer, John Walker and Curtis H. Brogden, being in nomination.

The Speaker laid before the House, messages from the Senate, informing that they have passed the following engrossed bills from the House, with amendments, in which they ask the agreement of the House:

A bill to regulate the floating of timber on the Roanoke river;

A bill to incorporate the Jacksonville and Trent River Plankroad Company;

A bill to incorporate the Newbern and Neuse River Bridge Company, in the county of Craven; and

A resolution in favor of John Craus;

Which amendments were severally agreed to.

Also a message, informing that they have passed the engrossed bill from the House, to incorporate the Chatham Railroad Company, with sundry amendments, in which they ask the agreement of the House.

Whereupon, the House agreed to the amendments, except the one authorizing counties to subscribe for stock, &c.

The following bills were read the second time and passed; the rule being suspended, they were severally read the third time, passed, and ordered to be engrossed:

A bill to incorporate the trustees of Granville Institute;

A bill to revive and continue in force an act, entitled an act to

appoint commissioners for the town of Haywood, in the county of Chatham, and for the better regulation of the same;

A bill to incorporate the town of Jefferson, in the county of Ashe:

A bill for the better regulation of seamen, in the town of Wilmington;

A bill to prevent the obstruction of the passage of fish in the waters of South River and Adam's creek:

A bill to extend the corporate limits of the town of Beaufort;

A resolution in favor of C. C. Stone;

A resolution in favor of James M. Carroll;

A resolution in favor of Bartlet Upchurch;

A resolution in favor of Neal M. Colvard;

A resolution in relation to Jacob Siler.

The following bills were read the second time, amended, and passed; the rule being suspended, they were severally read the third time, passed, and ordered to be engrossed:

A bill to incorporate the Sulphur Spring and Paint Rock Turnpike company, in Madison and Buncombe counties;

A bill to incorporate the Lenoir and Duplin Plankroad Company;

A bill to incorporate a plankroad from Statesville to Wilkesboro'; and

A bill to incorporate Excelsior Gold Mining Company, in Cabarrus county.

A bill to incorporate the Davidson College Volunteer Company was read the second time, the amendment adopted and passed, and laid upon the table.

The following bills were severally read the second time, and indefinitely postponed:

A bill in favor of E. C. Bartlett, late sheriff of Ashe county;

A bill to authorize James P. Stempson to collect taxes;

A bill to confirm a grant in favor of Wm. F. Bell, Sr., and Belcher Fuller;

A bill to authorize M. H. Kilpatrick, sheriff of Rutherford county, to collect arrears of taxes due him;

A bill to alter the county line between Ashe and Surry counties.

The engrossed bill concerning county and superior courts, was read the first time and passed; the rule being suspended, the same was read the second and third time, passed, and ordered to be enrolled.

A bill concerning literary fund and common schools, was taken from the table, and the same having been before read the second time, Mr. T. H. Williams submitted the following amendment, which was adopted:

In the sixth and seventh lines of the 3rd section, insert "marsh and" before "Swamp."

Mr. Phillips submitted the following amendment:

Strike out "federal population," and insert "white children between the ages of five and twenty."

Which amendment was rejected; yeas 32, nays 50.

The yeas and nays demanded by Mr. Phillips.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Bogle, J. G. Bynum, A. H. Caldwell, Carmichael, Cook, Craven, Flynt, Furr, Garland, Gorrell, Holland, Horton, Johnson, J. M. Leach, Love, McKesson, March, Mebane, S. J. Neal, Patterson, Patton, Phillips, Roland, Russell, Sharpe, Shipp, Vance, C. W. Williams and Yancey—32.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Blow, Bryant, Bullock, Cofield, Daniel, Daughtry, Gilliam, G. Green, M. Green, A. D. Headen, J. H. Headen, Houston, Jenkins, Jordan, Long, Lyon, McDuffie, McMillan, Mann, Martin, Meares, Mordecai, J. W. Neal, Norment, Oglesby, Outlaw, Regan, Shaw, Shepherd, Simmons, Singeltary, Smith, Steele, Stubbs, Sutton, Tomlinson, Watts, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, S. A. Williams, T. H. Williams and Winston—50.

The bill as amended passsed its second reading; the rule being suspended, it was read the third time and passed.

A bill concerning salaries and fees, was read the first time and passed;

The rule being suspended, the same was read the second time and made the special order of the day for to-morrow, at 12 o'clock.

A bill concerning the revised code, was read the first time and passed;

The rule being suspended, the same was read the second time and passed.

A bill concerning militia, having before been read in this House the second time, was taken up; and

Mr. Singeltary offered the following amendment:

Be it further enacted, That any person may be exempt from the performance of military duty for the space of twelve months, by paying the sheriff of his county the sum of fifty cents; and any person may be exempt from the performance of military duty for the space of five years, by paying to the sheriff of his county the sum of two dollars; and the sheriffs of the different counties in the State, shall include the amounts received under the provisions of this section, in their settlements with the comptroller for public taxes;

Which amendment was rejected.

Mr. Jenkins submitted the following amend ment:

Provided further, That the following tax shall be imposed: upon every acting general \$5, colonel \$4, major \$3, captain \$2, lieutenant \$1, corporals 50 cents; to be paid over to the chairman of the common schools in the several counties;

Which was rejected.

Mr. A. H. Caldwell submitted the following amendment:

Be it further enacted, That the militia system in North Carolina be, and the same is hereby abolished;

Which amendment was rejected.

Mr. Daughtry offered the following amendment:

Be it further enacted, That all free white men between the age of eighteen and forty-five years of age, (ministers of the Gospel excepted,) shall muster at least twice every year;

Which was rejected.

Mr. Singeltary submitted the following amendment, which was adopted:

In section 51, strike out the word "three" and insert "twelve."

The bill as amended, then passed its second reading.

The rule being suspended, the same was read the third time and passed.

The House now adjourned to to-morrow morning 10 o'clock.

THURSDAY, FEBRUARY 8, 1855.

Mr. Carmichael asked and obtained leave of absence for Mr. J. M. Leach, from and after Saturday next.

Mr. Barringer asked and obtained leave of abscence for Mr. Jas. A. Dunn, from and after this day.

Mr. Gorrell asked and obtained leave of abscence for Mr. Steele, from and after Saturday next.

Mr. Dortch, from the committee on the Judiciary reported favorably, "A bill to establish the county seat of Madison," also, reported back, "A resolution in relation to Judges of the superior courts," and asked to be discharged.

Mr. J. G. Bynum, from the same committee, to whom was referred the resolution, instructing them to inquire into "the expediency of providing by law, that no conveyance or instrument of writing purporting to convey title shall operate as color of title, except from the date of its registration;" reported "A bill concerning color of title," and recommended its passage; the same was read the first time and passed.

Mr. Carmichael, from the committee on internal improvements, to whom was referred A bill for the draining of Mattamuskeet Lake, reported the same back to the House and recommended its rejection.

Mr. Stubbs, from the committee to superintend the ballotting for Commissioners of the Lunatic Asylum, reported that neither of the persons in nomination had received a majority of the votes given, and consequently there was no election; which report was concurred in.

Mr. Dortch submitted the following resolution, which was read and adopted:

Resolved, (both Houses of the General Assembly concurring,) That the following gentlemen be appointed Directors of the Lunatic Asylum, viz.

John M. Morehead, Calvin Graves and George W. Mordecai, for two years;

Dr. S. A. Williams, Charles L. Hinton and Nath'l G. Rand, for four years;

David T. Taylor, W. W. Holden and John Everett, for six years.

The same was ordered to be engrossed and sent to the Senate.

Mr. Barringer presented the following resolution, which was read and adopted:

Resolved, That all patients of the Deaf, Dumb and Blind Asy-

lum in this city, be allowed to pass free of charge, to and from their respective residences in this State, over all railroads in which the State is interested, either by subscription, endorsement of bonds, or other liability: *Provided*, That the said railroad companies concur in the grant of said privilege.

Which was ordered to be engrossed and sent to the Senate.

Mr. B. F. Williams submitted the following resolution:

Resolved, That a message be sent to the Senate, proposing to adjourn both Houses of the General Assembly sine die, on Wednesday next, the 14th instant.

Mr. Singeltary moved that the resolution be laid upon the table, which was disagreed to; yeas 28, nays 68.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs, Badham, A. Barnes, D. F. Caldwell, Carmichael, Cotield, Gentry, Gilliam, J. H. Headen, Jenkins, Love, Lyon, McDuffie, McMillan, Mann, Martin, Meares, Mebane, Mordecai, Patton, Rose, Russell, Shepherd, Singeltary, Stubbs, Turner, Whitaker, G. M. White and S. A. Williams—28.

Those who voted in the negative, were,

Messrs. J. Barnes, Barringer, Baxter, Blow, Bogle, Bryant, Bryson, Bullock, J. G. Bynum, Cansler, Chadwick, Cook, Craven, Daniel, Dargan, Daughtry, Davenport, Dortch, Dunn, Eure, Flynt, Furr, Garland, Gorrell, G. Green, M. Green, Harrison, A. D. Headen, Hill, Horton, Holland, Houston, Humphrey, Johnson, Jordan, H. Leach, J. M. Leach, Long, McKesson, J. W. Neal, S. J. Neal, Norment, Oglesby, Patterson, Perkins, Regan, Settle, Sharpe, Shaw, Simmons, Smallwood, Smith, Steele, Sutton, Tomlinson, Vance, Walser, Watts, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams, Winston and Yancey—68.

The question recuring upon the passage of the resolution, it

was adopted.

Mr. J. G. Bynum introduced a resolution, authorizing the Governor to supply the Governors of the States and Territories, with a copy of "Jones' Digest;" the same was read the first time and passed.

Mr. Holland introduced a bill to pay talis jurors, in the county of Cleaveland, which was read the first time and passed; and

On motion by Mr. Singeltary, the same was laid upon the table.

Mr. J. G. Bynum, a bill concerning the town of Rutherford; the same was read the first time and passed.

Mr. Geo. Green, a bill to incorporate the Lawrence Hotel; which was read the first time and passed.

Mr. Whitaker, a bill to incorporate the Raleigh and Cape Fear Plankroad Company; the same was read the first time and passed.

Mr. McDuffie, a bill to amend an act, entitled an act to incorporate the Fayetteville and Raleigh Plankroad Company, passed at the session of the General Assembly of 1852; which was read the first time, passed, and referred to the committee on internal improvement.

Mr. J. G. Bynum, a bill to incorporate the Rutherford and Mc-Dowell Plankroad and Turnpike Company; which was read the first time and passed.

Received from the Senate a message, disagreeing to the amendment proposed by the House, to the bill for the completion of the North Carolina Railroad as section 6, to come in after section 5; and agreeing to the other amendments.

Mr. Singeltary moved to lay the message and bill upon the table; which motion was disagreed to: yeas 20, nays 77.

The yeas and nays demanded by Mr. Dortch.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Blow, Bryson, Daniel, Daughtry, Eure, Gilliam, Grist, Harrison, Houston, McDuffie, Mann, Martin, Regan, Singeltary, Stubbs, Whitaker, G. M. White, N. B. Whitfield and D. Williams—20.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, Barringer, Baxter, Black, Bogle, Bryant, Bullock, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Craven, Dargan, Davenport, Dortch, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Horton, Humphrey, Jenkins, Johnson, Jordan, H. Leach, J. M. Leach, Long, Love, Lyon, McKesson, McMillan, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Norment, Patterson, Patton, Perkins, Rose, Russell, Settle, Sharpe, Shaw, Shepherd, Shipp, Simmons, Smallwood, Smith, Steele, Sutton, Tomlinson,

Turner, Vance, Walser, Watts, J. H. White, L. Whitfield, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, T. H. Williams and Yancey—77.

Mr. Bullock now moved that the House do recede from its amendment; which was disagreed to, yeas 45, nays 51.

The yeas and nays demanded by Mr. Bullock.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Black, Bryant, Bryson, Bullock, D. F. Caldwell, Jansler, Craven, Dargan, Daughtry, Dortch, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Hill, Holland, Horton, Johnson, Jordan, H. Leach, Long, Lyon, Meares, Mebane, J. W. Neal, S. J. Neal, Norment, Phillips, Regan, Rose, Settle, Simmons, Sutton, Tomlinson, Walser, Watts, J. M. White, J. H. White, L. Whitfield, B. F. Williams, C. W. Williams and Yancey—45.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Barringer, Baxter, Blow, Bogle, J. G. Bynum, A. H. Caldwell, Carmichael, Chadwick, Cofield, Cook, Daniel, Davenport, Eure, Gilliam, G. Green, Grist, J. H. Headen, Houston, Humphrey, Jenkins, J. M. Leach, Love, McDuffie, McKesson, McMillan, Mann, March, Martin, Mordecai, Oglesby, Outlaw, Patton, Perkins, Sharpe, Shaw, Shepherd, Shipp, Singeltary, Smallwood, Smith, Steele, Stubbs, Vance, Whitaker, N. B. Whitfield, Wilkins, D. Williams, S. A. Williams and Winston—51.

So the House refused to recede, and informed the Senate thereof.

The House now proceeded to consider the special order of the day, being the engrossed bill concerning salaries and fees, the same having been read the second time.

Mr. Singeltary offered the following amendment:

In section 1st, line 2d, strike out "and no other compensation;" which amendment was adopted.

On motion by Mr. Barringer, the vote by which the said amendment was adopted was reconsidered, and the amendment withdrawn.

The hour having now arrived under the rule, the House took a recess.

Three o'clock, P. M.

Mr. Mordecai, by leave, introduced a bill to incorporate Morning Sun Academy, in the county of Wake.

The same was read the first time and passed; the rule being suspended, it was read the second and third time, passed and ordered to be engrossed.

Mr. J. G. Bynum asked and obtained leave of absence for Mr. Regan, from and after Sunday next.

The House now resumed the consideration of the engrossed bill concerning salaries and fees.

Mr. B. F. Williams moved the bill be indefinitely postponed, which motion was disagreed to.

Mr. Phillips moved to lay the bill upon the table, which motion was disagreed to, yeas 46, nays 49.

The yeas and nays demanded by Mr. Bullock.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Blow, Bogle, Bryant, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Cook, Craven, Daughtry, Davenport, Furr, Garland, Gentry, Gorrell, A. D. Headen, Holland, Horton, Jones, Hugh Leach, J. M. Leach, Lyon, McKesson, March, Martin, Norment, Patton, Phillips, Russell, Sharpe, Shaw, Shipp, Simmons, Smith, Stubbs, Thornburg, Tomlinson, J. H. White, L. Whitfield, B. F. Williams, C, W. Williams, T. H. Williams, Winston and Yancey—46.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Barringer, Baxter, A. H. Caldwell, D. F. Caldwell, Chadwick, Cofield, Dargan, Flynt, Gilliam, M. Green, Grist, J. H. Headen, Hill, Humphrey, Jenkins, Johnson, Jordan, Long, Love, McDuffie, McMillan, Mann, Meares, Mebane, Mordecai, J. W. Neal, Outlaw, Patterson, Rand, Roland, Rose, Settle, Shepherd, Singeltary, Smallwood, Steele, Sutton, Turner, Vance, Watts, Waugh, Whitaker, G. M. White, N. B. Whitfield, Wilkins, D. Williams and S. A. Williams—49.

Mr. Lyon submitted the following amendment:

In section 1st, line 2d, strike out "three thousand," and insert "twenty-five hundred."

Mr. Singeltary asked for a division of the question, and the question being first taken upon striking out, it was determined in the affirmative; yeas 52, nays 43.

The yeas and nays demanded by Mr. Lyon.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Bryant, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Cook, Craven, Daughtry, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Grist, A. D. Headen, J. H. Headen, Holland, Horton, Johnson, Jones, H. Leach, J. M. Leach, Lyon, McKesson, March, Martin, Mordecai, S. J. Neal, Patterson, Patton, Rand, Roland, Russell, Sharpe, Shipp, Simmons, Smith, Stubbs, Thornburg, Tomlinson, Vance, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, B. F. Williams, C. W. Williams, T. H. Williams and Winston—52.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Barringer, Baxter, Blow, A. H. Caldwell, D. F. Caldwell, Chadwick, Cofield, Dargan, Davenport, Gilliam, Hill, Humphrey, Jenkins, Jordan, Long, Love, McDuffie, McMillan, Mann, Meares, Mebane, J. W. Neal, Outlaw, Phillips, Regan, Rose, Settle, Shaw, Shepherd, Singeltary, Smallwood, Steele, Sutton, Turner, Watts, Whitaker, G. M. White, Wilkins, D. Williams, S. A. Williams and Yancey—43.

Mr. Outlaw moved that the bill and pending amendment be laid upon the table;

Which was carried; yeas 51, nays 45.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Blow, Bogle, Bryson, J. G. Bynum, Cansler, Carmichael, Cook, Craven, Daughtry, Davenport, Furr, Garland, Gentry, Gilliam, Gorrell, Horton, Jones, J. M. Leach, H. Leach, Lyon, March, Martin, McMillan, Mann, McKesson, Mordecai, S. J. Neal, Norment, Outlaw, Patton, Phillips, Regan, Russell, Shaw, Sharpe, Simmons, Smith, Smallwood, Stubbs, Thornburg, Turner, Vance, J. H. White, L. Whitfield, Winston, B. F. Williams, T. H. Williams, C. W. Williams and Yancey

Those who voted in the negative, were,

Messrs. J. Barnes, Barringer, Baxter, Badham, Bryant, Bullock, D. F. Caldwell, A. H. Caldwell, Chadwick, Cofield, Dargan, Flynt, M. Green, Grist, J. H. Headen, A. D. Headen, Hill, Holland, Humphrey, Jenkins, Johnson, Jordan, Long, Love, McDuffie, Mebane. J. W. Neal, Patterson, Rand, Roland, Rose,

Settle, Shepherd, Singeltary, Steele, Sutton, Tomlinson, Waugh, Watts, G. M. White, N. B. Whitfield, Whitaker, Wilkins, S. A. Williams and D. Williams—45.

A bill to incorporate the Atlantic, Tennessee and Ohio Railroad Company, was read the second time, when Mr. Patterson offered a substitute for the original bill, which was adopted; the bill as amended, passed its second reading, and the rule being suspended, the same was read the third time, passed, and ordered to be engrossed.

A bill to permit the exportation of oysters under certain circumstances, and to authorize the use of drags, scoops, rakes or other instruments in private oyster grounds; also,

A bill to correct errors committed in making entries of land assigned to the use of the Western Turnpike Road, were read the second time and passed; the rule being suspended, they were read the third time, passed, and ordered to be engrossed.

A resolution authorizing the literary board to loan one thousand dollars to Robeson Institute, was read the second time, amended, and passed; the rule being suspended, it was read the third time, passed, and ordered to be engrossed.

A bill to secure to architects and mechanics compensation for labor and materials, in the county of New Hanover, was read the second time, and a substitute for the same adopted; the bill as amended, passed its second reading.

Mr. Outlaw moved that the bill be indefinitely postponed, which was disagreed to; yeas 41, nays 49.

The yeas and nays demanded by Mr. T. H. Williams.

Those who voted in the affirmative, were,

Messrs. J. Barnes, A. Barnes, Bogle, Bryant, J. G. Bynum, Carmichael, Chadwick, Cook, Craven, Dargan, Davenport, Furr, Gorrell, J. H. Headen, A. D. Headen, Holland, Horton, Johnson, J. M. Leach, Lyon, March, Mebane, S. J. Neal, J. W. Neal, Outlaw, Perkins, Phillips, Rose, Russell, Shipp, Sharpe, Smith, Stubbs, Thornburg, Tomlinson, Turner, Watts, N. B. Whitfield, Winston, B. F. Williams and D. Williams—44.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Badham, Blow, Bryson, Bullock, Cansler, Cofield, Daughtry, Flynt, Garland, Gentry, M. Green, Grist, Hill, Jenkins, Jones, Jordan, H. Leach, Long, Love, Mar-

tin, McMillan, McKesson, McDuffie, Meares, Mordecai, Norment, Patterson, Patton, Rand, Regan, Roland, Settle, Shepherd, Shaw, Singeltary, Simmons, Smallwood, Steele, Sutton, Vance, Waugh, J. H. White, L. Whitfield, T. H. Williams, S. A. Williams, C. W. Williams and Yancey—49.

The rule being suspended, the bill was read the third time.

Mr. T. H. Williams submitted the following amendment :

Be it further enacted, That this act shall be applicable only to the county of New Hanover;

To which, on motion by Mr. Singeltary, the county of Pitt was added, and the amendment was adopted.

On motion by Mr. McDuffie, the county of Cumberland was added;

On motion by Mr. Norment, the county of Robeson was added; On motion by Mr. Jenkins, the county of Warren was added; On motion by Mr. Daughtry, the county of Sampson was added.

The bill, as amended, then passed its third reading, and was ordered to be engrossed.

Received from the Senate a message, disagreeing to the amendment proposed by the House, to the engrossed bill concerning militia, to section 55.

Whereupon, the House receded from the amendment, and ordered the bill to be enrolled,

Also a message concerning the proposition of the House to adjourn sine die on Wednesday next, at 12 o'clock M.; and concurring in the proposition to appoint directors of the Lunatic Asylum by joint resolution; and informing that the Senate branch of the committee concerning a State engineer, are Messrs. Thomas of Davidson, and Thomas of Jackson.

Also a message, agreeing to all the amendments proposed by the House to the engrossed bill to incorporate the Western North Carolina Railroad Company; and the said bill was ordered to be enrolled.

The hour having now arrived under the rule, the House took a recess.

Seven o'clock, P. M.

Mr. McMillan, by leave, introduced a bill to prescribe and re-

quire an oath of office for the town magistrate of the town of Wilmington, and for other purposes, which was read the first time and passed; the rule being suspended, it was read the second and third time, passed, and ordered to be engrossed.

Mr. Phillips, a bill to incorporate the Newhope Academy, in the county of Chatham, which was read the first time and passed; the rule being suspended, it was read the second and third time, passed, and ordered to be engrossed.

Mr. Meares, a bill to incorporate the Cape Fear Iron Mining and Manufacturing Company, which was read the first time and passed; the rule being suspended, the same was read the second and third time, passed, and ordered to be engrossed.

Mr. J. H. White, a bill supplementary to an act passed at the present session of the General Assembly, entitled an act to incorporate the Wilmington and Charlotte Railroad Company, which was read the first time and passed; the rule being suspended, the same was read the second time and passed.

The following engrossed bills, were read the first time and passed; the rule being suspended, they were severally read the second and third time, passed and ordered to be enrolled (to wit):

A bill to authorize Robert L. Steele to establish a ferry on the Pedee river in the counties of Anson and Richmond;

A bill to give jury trials at two of the county courts of Stanly county;

A bill supplemental to an act incorporating Roxboro' in Parson county;

A bill to appoint commissioners to view and alter the public road between Wilkesboro' and Trap Hill in Wilkes county;

A resolution in favor of Wm. Thompson, and

A resolution concerning executive mansion.

The following engrossed bills were read the second time and passed; the rule being suspended they were severally read the third time, passed and ordered to be enrolled (to wit):

A bill to incorporate Clinton Lodge No. 107 of ancient York masons in the county of Caswell;

A bill to incorporate the trustees of the New Institute in Iredell county;

A bill to incorporate the Thomasville and Clemonsville Turnpike or Plankroad Company; A bill supplimentary to an act entitled an act, to establish Polk county; and

A resolution directing the Literary Board to loan money to the Clinton Female Institute and for other purposes.

The engrossed bill to incorporate the Yadkin Navigation Company was read the first time, passed and made the special order of the day at 11 o'clock A. M.

The engrossed bill to increase the capital stock of the Fayetteville and Western Plankroad Company, was read the first time and passed.

A bill to emancipate Betty a slave, was read the third time, passed and ordered to be engrossed.

A bill to emancipate Albert a slave; and

A bill to authorize the Governor to furnish weights and measures to Yadkin county were read the second time and passed, the rule being suspended, they were severally read the third time, passed and ordered to be engrossed.

A bill to remodel the county courts in the county of Cumberland, was read the second time and passed; the rule being suspended, the same was read the third time, and on motion by Mr. T. H. Williams, amended by adding "New Hanover," whereever the word Cumberland occurs; the bill as amended passed its third reading and was ordered to be engrossed.

A bill to authorize Alex'r. M. Booe, sheriff of Davie county, to collect arrears of taxes due him, and the same to extend to the collection of taxes due to W. B. March, was indefinitely postponed.

The engrossed bill to repeal an act of the General Assembly, passed at its session of 1848-49, chapter 143, was read the first time and indefinitely postponed.

Received from the Senate a message, agreeing to the amendments proposed by the House, to the engrossed bill to authorize W. S. Ballinger, his associates and assigns, to construct a damacross Neuse river; and said bill was ordered to be enrolled.

The engrossed bill to incorporate the Washington Savings Institute, in Beaufort county, was read the first time and passed; the rule being suspended, it was read the second time, and referred to the committee of the whole House.

A bill to amend the charter for the better regulation of the town of Henderson, in the county Granville, was read the third time.

Mr. Turner submitted the following amendment:

Sec. 18. It shall not be lawful for the county court to grant any person license to retail spirituous liquors within the corporate limits aforesaid, unless such person, at the time of making the application, shall exhibit to the court a certificate, under the hand and seal of the chairman of police of the town, setting forth that the commissioners of the town have consented for the application to be made: and any person offending against this section, shall forfeit to the commissioners twenty-five dollars for the first offence, and fifty dollars for every new offence, to be recovered by warrant before any justice of the peace for the county, with the same right of appeal as is provided in the 4th section of this act.

Which amendment was adopted; yeas 42, nays 33.

The yeas and nays demanded by Mr. Turner.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Black, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Dargan, Furr, Garland, Gilliam, Gorrell, J. H. Headen, Holland, Horton, Johnson, H. Leach, McKesson, McMillan, S. J. Neal, Patterson, Perkins, Phillips, Roland, Sharpe, Shepherd, Shipp, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Wilkins, B. F. Williams and T. H. Williams —42.

Those who voted in the negative, were,

Messrs. J. Barnes, Bryson, Bullock, Cofield, Daughtry, Flynt, Gentry, M. Green, A. D. Headen, Hill, Jenkins, Long, Love, Lyon, Mann, March, Martin, Meares, Mordecai, J. W. Neal, Patton, Regan, Russell, Singeltary, Sutton, Watts, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, C. W. Williams, S. A. Williams and Yancey—33.

The bill was then laid upon the table.

The House now adjourned to to-morrow morning 10 o'clock.

FRIDAY, FEBRUARY 9, 1855.

Mr. Cofield, by the consent of the House, introduced a bill to incorporate the Carolina Hotel Company;

Which was read the first time and passed.

The rule being suspended, the same was read the second and third time and passed, and ordered to be engrossed.

Mr. J. G. Bynum, from the select committee, to whom was referred the resolution in regard to the State's interest in the Clubfoot and Harlow Creek Canal Company, reported a bill to revive and continue in force an act, chapter 10, passed by the General Assembly at its session in 1848, entitled an act to provide for the improvement of Clubfoot and Harlow Creek Canal, and for other purposes, and to amend the same;

Which bill was read the first time and passed.

Mr. Waugh, from the committee on propositions and grievances, to whom was referred sundry memorials, praying the passage of a law to abolish the traffic in intoxicating liquors, made a report;

Which was ordered to be printed.

Mr. Cansler, from the committee on internal improvements, to whom was referred a bill to amend an act to incorporate the Fayetteville and Raleigh Plankroad Company, reported the same back to the House and recommended its passage.

Mr. Settle, from the committee on claims, to whom was referred a resolution in favor of Wilson Atwater, reported the same back to the House and recommended its passage.

Mr. Bryson presented a resolution in favor of Andrew Cope; Which was read the first time and passed.

Received from the Senate a message, informing that they have passed the engrossed resolution from the House, in favor of W. H. Winder, with an amendment, in which they ask the agreement of the House.

The House disagreed to the amendment and the Senate was informed thereof.

Also a message, informing that they have receded from their amendment to the engrossed bill from the House, to incorporate the Chatham Railroad Company, authorizing towns and counties to subscribe for stock, and have ordered the bill enrolled.

Mr. Baxter asked for, and obtained leave of absence for Mr. Norment.

Mr. Barringer asked for, and obtained leave of absence for Mr. Cansler.

On motion by Mr. T. H. Williams, the rule was suspended, and the engrossed bill to incorporate the Bank of Wilmington, was read the first time and passed.

The hour having now arrived, the House profeed to the consideration of the special order of the day, being the engrossed bill to incorporate the Yadkin Navigation Company.

The same was read the second time and passed; yeas 58, nays 41.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Black, Rogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cofield, Cook, Dargan, Davenport, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, A. D. Headen, J. H. Headen, Hill, Horton, Humphrey, Johnson, H. Leach, J. M. Leach, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, S. J. Neal, Norment, Outlaw, Patterson, Patton, Perkins, Roland, Rose, Russell, Settle, Sharpe, Shepherd, Sherrill, Shipp, Smith, Steele, Thornburg, Vance, Walser, Waugh, Wilkins and C. W. Williams—58.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Blow, Bryant, Bryson, Bullock, Cansler, Craven, Daughtry, Dortch, M. Green, Grist, Harrison, Holland, Houston, Jarvis, Jenkins, Long, Lyon, Martin, Phillips, Rand, Regan, Shaw, Simmons, Singeltary, Smallwood, Sutton, Tomlinson, Turner, Watts, Whitaker, G. M. White, J. H. White, L. Whitfield, B. F. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—41.

The rule being suspended, the bill was read the third time, and Mr. Smith presented the following amendment:

Be it further enacted, That, in order to meet the subscription, herein authorized to be made by the State, the public treasurer is authorized to issue bonds, with coupons attached, payable at the end of twenty years;

Which was adopted; and the bill as amended passed its third reading; yeas 60, nays 38.

The yeas and nays demanded by Mr. Daughtry.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Black, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cofield, Cook, Dargan, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, A. D. Headen, J. H. Headen, Hill, Horton, Humphrey, Johnson, H. Leach, J. M. Leach, Love, McDuffie, McKesson, McMillan,

Mann, March, Meares, Mebane, S. J. Neal, Norment, Outlaw, Patterson, Patton, Perkins, Regan, Roland, Rose, Russell, Sharpe, Shepherd, Sherrill, Shipp, Smith, Steele, Thornburg, Vance, Walser, Watts, Waugh, Wilkins, C. W. Williams, T. H. Williams and Wright—60.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Blow, Bryant, Bryson, Bullock, Cansler, Daniel, Daughtry, Dortch, M. Green, Grist, Holland, Houston, Jarvis, Jenkins, Jonos, Jordan, Long, Lyon, Martin, Mordecai, Phillips, Rand, Shaw, Simmons, Singeltary, Smallwood, Sutton, Tomlinson, Turner, G. M. White, L. Whitfield, B. F. Williams, D. Williams, S. A. Williams, Winston and Yancey—38.

Ordered that said bill be enrolled.

On motion by Mr. Singeltary, the engrossed bill concerning salaries and fees was taken from the table; and

On motion by Mr. T. H. Williams, the vote by by which was stricken out from the original bill the words "three thousand," was reconsidered.

The question then being taken upon striking out, the House refused, and Mr. J. G. Bynum submitted the following amendment:

In section 29, strike out the words "and two and a half per cent. on the amount collected;" which was adopted: yeas \$0, nays 13.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Barringer, Baxter, Black, Blow, Bryant, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Dargan, Daughtry, Dortch, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Jenkins, Johnson, Jones, Jordan, H. Leach, J. M. Leach, Long, Lyon, McDuffie, McKesson, McMillan, March, Martin, Meares, Mebane, Mordecai, Outlaw, Perkins, Phillips, Rand, Regan, Russell, Sharpe, Shaw, Sherrill, Shipp, Simmons, Smallwood, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Waugh, Whitaker, G. M. White, J. H. White, N. B. Whitfield, Wilkins, B. F.

Williams, S. A. Williams, Winston, Wright and Yancey-80.

Those who voted in the negative, were,

Messrs. Bogle, Gilliam, Jarvis, S. J. Neal, Rose, Shepherd, Singeltary, Steele, Watts, L. Whitfield, C. W. Williams, D. Williams and T. H. Williams—13.

Mr. Bullock submitted the following amendment:

Strike out of the 1st section the words "the superintendent of common schools for the State fifteen hundred dollars, to be paid out of the literary fund;" which was adopted: yeas 54, nays 27.

The yeas and nays demanded by Mr. Bullock.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Black, Bryant, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Cansler, Cofield, Daughtry, Dortch, Flynt, Furr, Garland, Gentry, G. Green, Harrison, A. D. Headen, Hill, Holland, Houston, Jarvis, Jones, H. Leach, Long, Lyon, March, Martin, Mebane, Mordecai, Norment, Patton, Perkins, Rand, Roland, Rose, Russell, Sharpe, Sherrill, Simmons, Tomlinson, Thornburg, Walser, Watts, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, B. F. Williams, C. W. Williams, D. Williams, Wright and Yancey—54.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Blow, Bogle, D. F. Caldwell, Cook, Dargan, Davenport, Gilliam, Gorrell, M. Green, Grist, J. H. Headen, Jenkins, Johnson, Jordan, McDuffie, McKesson, McMillan, Mann, Meares, S. J. Neal, Outlaw, Patterson, Phillips, Shaw and Shepherd—27.

Mr. Dargan submitted the following amendment:

Strike out increase of salaries, all but "Governor, Treasurer, and Treasurer's clerk;" which was adopted: yeas 72, nays 21.

The yeas and nays demanded by Mr. Dargan.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Black, Blow, Bryant, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Chadwick, Cofield, Cook, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, G. Green, M. Green, Harrison, J. H. Headen, Holland, Houston, Jarvis, Jenkins, Johnson, Jordan, H. Leach, Long, Lyon, McDuffie, McKesson, March, Martin, Meares, Mebane, Mordecai, Outlaw, Perkins, Rand, Rose, Russell, Shaw, Sherrill, Shipp, Simmons, Smallwood, Stubbs, Sut-

ton, Thornburg, Tomlinson, Vance, Walser, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—72.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, A. H. Caldwell, D. F. Caldwell, Dortch, Gilliam, Gorrell, A. D. Headen, Hill, Jones, McMillan, Steele, Turner, G. M. White, S. J. Neal, Patterson, Phillips, Roland, Sharpe, Shepherd and Singeltary—21.

On motion by Mr. Singeltary, the bill was laid upon the table. Mr. Singeltary, by leave of the House, introduced a bill to provide adequate compensation to certain officers of the State, which was read the first time and passed; the rule being suspended, the bill was read the second time, and Mr. Gorrell moved to amend the bill by striking out all that portion of the bill relating "to the Governor's salary;" which was rejected; yeas 39, nays 56.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. A. Barnes, Bryson, J. G. Bynum, Cansler, Carmichael, Cook, Craven, Dargan, Daughtry, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, Holland, Johnson, Jones, H. Leach, Long, Lyon, McKesson, March, Martin, S. J. Neal, Patterson, Patton, Sharpe, Sherrill, Simmons, Thornburg, Walser, Waugh, J. H. White, B. F. Williams, C. W. Williams, Winston, Wright and Yancey—39.

Those who voted in the negative, were,

Messrs. J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bryant, Bullock, A. H. Caldwell, D. F. Caldwell, Chadwick, Cofield, Daniel, Davenport, Dortch, G. Green, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Houston, Jarvis, Jenkins, Jordan, McDuffie, McMillan, Mann, Meares, Mebane, Norment, Outlaw, Perkins, Phillips, Rand, Roland, Rose, Russell, Settle, Shaw, Shepherd, Shipp, Singeltary, Smallwood, Smith, Steele, Sutton, Tomlinson, Vance, Watts, Whitaker, L. Whitfield, N. B. Whitfield, Wilkins, D. Williams and S. A. Williams—56.

The hour having arrived under the rule, the House took a recess.

Three o'clock, P. M.

The House resumed the consideration of the bill under consideration at the time of taking a recess.

Mr. Gilliam offered the following amendment: To the Comptroller, twelve hundred and fifty dollars besides the fees of his office, which was rejected.

Mr. Whitaker offered the following amendment: The Secretary of State, twelve hundred dollars, which was rejected; yeas 22, nays 61.

The yeas and nays demanded by Mr. Yancey.

Those who voted in the affirmative, were,

Messrs. Baxter, Bryson, A. H. Caldwell, Craven, Gilliam, A. D. Headen, J. H. Headen, Hill, Jenkins, Jordan, Mann, Meares, Mordecai, S. J. Neal, Patterson, Roland, Shepherd, Singeltary, Turner, Whitaker, J. H. White and S. A. Williams—22.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Barringer, Black, Bryant, Cansler, Cofield, Cook, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Grist, Holland, Houston, Humphrey, Jarvis, Johnson, Jones, H. Leach, Long, Lyon, McKesson, McMillan, March, Martin, Mebane, Norment, Outlaw, Patton, Regan, Rose, Russell, Sharpe, Shaw, Shipp, Simmons, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Vance, Walser, Watts, Waugh, L. Whitfield, N. B. Whitfield, B. F. Williams, D. Williams, T. H. Williams, Winston and Yancey—61.

Mr. Martin moved that the bill be indefinitely postponed which was disagreed to; yeas 26, nays 57.

The yeas and nays demanded by Mr. Martin.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Cook, Craven, Daughtry, Furr, Gentry, Jarvis, Johnson, Jones, Lyon, McMillan, March, Martin, Regan, Russell, Sharpe, Simmons, Thornburg, Tomlinson, Walser, J. H. White, B. F. Williams, C. W. Williams and T. H. Williams—26.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Black, Bryant, Bryson, A. H. Caldwell, Cansler, Cofield, Dargan, Davenport, Flynt, Garland, Gilliam, Gorrell, M. Green, Grist, A. D. Headen, J. H. Headen,

Hill, Holland, Humphrey, Jenkins, Jordan, H. Leach, Long, McKesson, Mann, Meares, Mebane, Mordecai, S. J. Neal, Norment, Outlaw, Patterson, Patton, Rand, Roland, Rose, Shaw, Shepherd, Shipp, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Turner, Vance, Watts, Waugh, Whitake, L. Whitfield, N. B. Whitfield, D. Williams, S. A. Williams and Winston—57.

Mr. Winston offered the following amendment: And the said three officers shall receive no other compensation whatever, which was adopted; yeas 64, nays 20.

The yeas and nays demanded by Mr. Winston.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Barringer, Baxter, Black, Bryant, Bryson, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Cook, Craven, Daniel, Dargan, Daughtry, Davenport, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Grist, Holland, Houston, Humphrey, Jarvis, Johnson, Jones, H. Leach, Love, Lyon, McKesson, Mann, March, Martin, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Rand, Roland, Rose, Russell, Sharpe, Shipp, Simmons, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Walser, Waugh, L. Whitfield, Wilkins, B. F. Williams, D. Williams, T. H. Williams and Winston—64.

Those who voted in the negative, were,

Messrs. J. H. Headen, Hill, Jenkins, Jordan, Long, McMillan, Meares, Norment, Shaw, Shepherd, Singeltary, Tomlinson, Turner, Vance, Watts, Whitaker, J. H. White, N. B. Whitfield, C. W. Williams and S. A. Wilhams—20.

Mr. Jenkins offered the following amendment:

"Unless the Legislature shall determine otherwise;" which was rejected.

The question recurring upon the passage of the bill, its second reading, as amended, it was determined in the affirmative; yeas 50, nays 44.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Barringer, Baxter, Black, Bryant, A. H. Caldwell, Cansler, Chadwick, Cofield, Daniel, Dargan, Davenport, Gorrell, Grist, A. D. Headen, J. H. Headen, Hill, Jarvis, Jenkins, Jordan, Long, McMillan, Mann, Meares, Mebane, Norment, Outlaw, Patterson, Patton, Perkins, Rand, Roland, Rose,

Settle, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Steele, Sutton, Watts, Whitaker, J. H. White, N. B. Whitfield, Wilkins, D. Williams, S. A. Williams and T. H. Williams—50.

Those who voted in the negative, were,

Messrs. A. Barnes, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Cook, Craven, Daughtry, Flynt, Furr, Garland, Gentry, M. Green, Holland, Houston, Humphrey, Johnson, Jones, H. Leach, Love, Lyon, McKesson, March, Martin, Mordecai, S. J. Neal, Regan, Russell, Sharpe, Shaw, Shipp, Sunmons, Stubbs, Thornburg, Tomlinson, Turner, Vance, Walser, Waugh, L. Whitfield, B. F. Williams, C. W. Williams, Winston and Yancey—44.

The rule being suspended, the bill was read the third time; and

Mr. Patterson moved to amend, by striking out the words, "or clerks," which was adopted; and the bill, as amended, passed its third reading, and was ordered to be engressed.

On motion by Mr. Humphrey, the bill to incorporate a company to construct a Railroad from some point on the waters of Beaufort Harbor, (to be hereafter determined,) to the town of Fayetteville, was taken up and read the second time, and amended, and passed.

Mr. T. H. Williams submitted the following resolution, which was read and adopted:

Resolved, That the chairman of the committee of the whole House be required to report back to the House all bank bills referred to the same, and ask to be discharged from the further consideration of the subject.

Whereupon, Mr. Shepherd, chairman of the committee of the committee of the whole, reported back to the House the several bills referred to said committee, to recharter and establish banks, and asked to be discharged from their further consideration, which report was concurred in.

On motion by Mr. T. H. Williams, the engrossed bill to incorporate the bank of Wilmington was taken up and read the second time.

Mr. Baxter offered an amendment; pending the consideration of which, the House took a recess.

Seven o'clock, P. M.

Received from the Senate a message disagreeing to the amendment proposed by the House to the engrossed bill concerning the literary fund and common schools, in relation to the marsh lands, and agreeing to the other amendments.

Whereupon, the House receded from its amendment.

Also, a message receding from their disagreement to the amendment proposed by the House to the engrossed bill for the completion of the North Carolina Railroad, relative to the Tar river appropriation.

Ordered, that the said bill be enrolled.

A bill to establish the county seat of Madison county was read the second time and passed; the rule being suspended, the same was read the third time.

Mr. Yancey offered a substitute, which was read, adopted and laid on the table.

The engrossed resolution in favor of B. F. Moore and Asa Biggs was read the first time and passed; the rule being suspended, it was read the second time and passed; yeas 40, nays 31.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. A. Barnes, J. Barnes, Barringer, Baxter, Black, Blow, Bogle, Bullock, Carmichael, Chadwick, Cook, Dargan, Gilliam, Gorrell, G. Green, M. Green, J. H. Headen, Hill, Jenkins, Jordan, McMillan, Mann, Meares, Mebane, Outlaw, Phillips, Rand, Russell, Settle, Shaw, Shepherd, Singeltary, Steele, Stubbs, Sutton, Turner, Watts, Whitaker, Wilkins and Winston—40.

Those who voted in the negative, were,

Messrs. Bryson, J. G. Bynum, D. F. Caldwell, Craven, Daniel, Furr, Garland, Gentry, Holland, Houston, Johnson, H. Leach, Long, Lyon, McKesson, March, Martin, Mordecai, Patton, Regan, Roland, Sharpe, Thornburg, Tomlinson, Vance, Waugh, J. H. White, B. F. Williams, C. W. Williams, S. A. Williams and Yancey—31.

The rule being suspended, the resolution was read the third time and passed, and ordered to be enrolled.

The following engrossed bills from the Senate were read the first time and passed; the rule being suspended, they were sever-

ally read the second and third time and passed, and ordered to be enrolled, to wit:

A bill to amend an act, entitled an act to incorporate the town of Madison, in the county of Rockingham;

A bill concerning the towns of Fayetteville and Wilmington;

A bill to incorporate the Silver Hill Mining Company, in the county of Davidson;

A bill for the better regulation of the town of Hillsboro'; and A bill to alter the name of the town of Jamestown, in the county of Martin.

The engrossed bill to incorporate the Newbern Mutual Fire Insurance Company, was read the second time, amended and passed; the rule being suspended, the same was read the third time and passed.

The engrossed resolution concerning the engrossing clerks was read the first time and passed; the rule being suspended, the same was read the second time, amended and passed; the rule was again suspended, and the resolution read the third time and passed.

A resolution in favor of W. A. Winborne; and

A resolution in favor of A. H. Sanders, were read the second time and passed; the rule being suspended, they were severally read the third time and passed, and ordered to be engrossed.

A resolution in favor of John B. Debnam, was read the second time, and laid upon the table.

A bill to alter the time of holding the courts in the sixth judicial circuit was read the second time, amended and passed, and ordered to be engrossed.

A resolution authorizing the literary fund to loan Laurenburg High School, in Richmond county, the sum of two thousand dollars was read the second time, and amended and passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

Received from the Senate a message, refusing to recede from their amendment to the engrossed resolution from the House in favor of W. H. Winder; and thereupon the House agreed to the Senate's amendment.

Also a message, informing that they have passed the engrossed bill from the House to incorporate the Wilmington Savings' Bank,

with an amendment, in which they ask the agreement of the House; and the House agreed to the amendment proposed.

Also a message agreeing to the amendments proposed by the House to the engrossed bill to incorporate the Yadkin Navigation Company; and

A bill concerning the Fayetteville and Centre Plankroad Company.

Said bills were ordered to be enrolled.

Also a message, informing the House that they have rejected the joint resolution appointing nine directors to the Lunatic Asylum.

A bill concerning public printing, was read the second time and a substitute adopted; and

Mr. Settle offered the following amendment:

Section 10, the Governor, Secretary of State, Treasurer, Comptroller and Adjutant General, may have printed for their several officers, such blanks and other necessary printing, as may be suitable and proper, to enable them to discharge their duties; the charges for which printing, shall be reasonable and just, to be adjudged of and allowed by the board, composed of the Governor, Secretary of State, Treasurer and Comptroller.

Which amendment was adopted.

Mr. Mann submitted the following amendment;

Strike out that portion of the bill providing for the election of public printer, and insert, "the Secretary of State shall on the first Monday of September, one thousand eight hundred and fiftysix, and every two years thereafter, let out to the lowest bidder, (after giving thirty days notice in two newspapers published in the city of Raleigh,) the public printing that may be ordered by either or both Houses of the General Assembly, jointly or separately, during the ensuing session.

Mr. Singeltary called for a division of the question, and the question being first taken upon striking out, it resulted in a tie, and the Speaker voted in the negative.

So the House refused to strike out and the amendment was lost.

The yeas and nays demanded by Mr. Mann.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Dargan,

Furr, Gilliam, Gorrell, G. Green, J. H. Headen, Horton, Johnson, Jones, H. Leach, McKesson, Mann, March, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Roland, Russell, Sharpe, Shipp, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Wilkins, B. F. Williams and Winston—42.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Black, Blow, Bryant, Bullock, A. H. Caldwell, Cansler, Daughtry, Flynt, Garland, Gentry, M. Green, Hill, Holland, Houston, Humphrey, Jenkins, Jordan, Long, Lyon, McDuffie, McMillan, Martin, Meares, Rand, Regan, Settle, Shaw, Shepherd, Singeltary, Sutton, Tomlinson, Watts, Waugh, Whitaker, J. H. White, N. B. Whitfield, C. W. Williams, S. A. Williams, T. H. Williams and Yancey—42.

Mr. Mann submitted the following amendment, to come in after the words "General Assembly," in the 6th line of the first section:

"On the second day of the session;" which was adopted: yeas 45, nays 40.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cook, Craven, Daniel, Dargan, Furr, Gilliam, Gorrell, G. Green, J. H. Headen, Horton, Jenkins, Johnson, Jones, H. Leach, J. M. Leach, McKesson, Mann, March, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Roland, Russell, Sharpe, Shipp, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Wilkins, B. F. Williams and Winston—45.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Black, Blow, Bryant, Bullock, Cansler, Daughtry, Flynt, Garland, Gentry, M. Green, Hill, Holland, Houston, Humphrey, Jordan, Long, Lyon, McDuffie, McMillan, Martin, Meares, Rand, Regan, Settle, Shaw, Shepherd, Singeltary, Sutton, Tomlinson, Watts, Waugh, Whitaker, J. H. White, N. B. Whitfield, C. W. Williams, S. A. Williams, T. H. Williams and Yancey—40.

The bill as amended, passed its second reading; the rule being suspended, the same was read the third time, passed, and ordered to be engrossed.

The House now adjourned to to-morrow morning 10 o'clock.

SATURDAY, FEBRUARY 10, 1855.

Mr. Settle, from the committee on claims, to whom was referred a resolution in relation to the purchase of indices to revolutionary records in the comptroller's office, reported the same back to the House, and asked to be discharged from its further consideration.

On motion by Mr. Hill, the resolution heretofore introduced by him, limiting the time for members to speak, was taken from the table and amended, so as to read as follows:

Resolved, That no member shall speak longer than ten minutes at a time, nor more than twice on any one subject.

Mr. Baxter moved to lay the resolution on the table, which was disagreed to; yeas 23, nays 55.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Baxter, Black, J. G. Bynum, D. F. Caldwell, Gilliam, Gorrell, G. Green, J. H. Headen, Jones, Jordan, H. Leach, March, Mebane, Outlaw, Patterson, Rand, Russell, Sharpe, Shepherd, Shipp, Stubbs, Thornburg and Winston—23.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Bogle, Bryant, Bryson, Bullock, Carmichael, Craven, Dargan, Daughty, Flynt, Furr, Garland, Gentry, M. Green, Grist, A. D. Headen, Hill, Holland, Horton, Humphrey, Jarvis, Jenkins, Johnson, Long, Lyon, McMillan, Martin, Meares, J. W. Neal, Patton, Regan, Roland, Rose, Shaw, Sherrill, Simmons, Smallwood, Smith, Steele, Sutton, Turner, Vance, Walser, Watts, Waugh, Whitaker, J. H. White, N. B. Whitfield, C. W. Williams, D. Williams, S. A. Williams, Wright and Yancey—55.

The question recurring upon the passage of the resolution, it was adopted.

Mr. D. F. Coldwell submitted the following resolution:

WHEREAS, The subject of banks and currency has been referred to the committee of the whole House, and there retained until the session is about to close, and large numbers of the peoples' representatives have gone home, and many others are preparing to leave; and the subject of banks and currency being complicated and difficult, and not a subject for hurry and inconsiderate legislation: And whereas, the charters of the bank of the

State and the Cape Fear bank, have five years yet to run, and three years after the termination of said charters being allowed for the settlement of their business, and said banks being in a condition to accommodate the wants of the public for several years to come; and whereas, there is other important business to occupy the whole time of the Legislature, until the day fixed on for the adjournment: therefore

Resolved, 'That the whole subject of banks and currency, be postponed for the deliberate and mature consideration of the next Legislature.

Mr. Jenkins moved to lay the resolution on the table; which motion was carried: yeas 83, nays 11.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Baxter, Black, Bryant, Bryson, Bullock, A. H. Caldwell, Cansler, Carmichael, Chadwick, Cofield, Daniel, Dargan, Daughtry, Flynt, Furr, Garland, Gilliam, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, H. Leach, Long, Lyon, McDuffie, McKesson, McMillan, March, Martin, Meares, Mordecai, J. W. Neal, Norment, Outlaw, Patterson, Patton, Rand, Regan, Roland, Rose, Russell, Settle, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Vance, Walser, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston and Wright—83.

Those who voted in the negative, were,

Messrs. Bogle, J. G. Bynum, D. F. Caldwell, Craven, Gentry, Gorrell, Horton, Johnson, Mann, Mebane and Turner—11.

Mr. Shepherd presented the following resolution:

Resolved, That the present commissioners of the Lunatic Asylum shall continue in office until the next meeting of the General Assembly, or until their successors are appointed, which was adopted, engrossed and transmited to the Senate for their concurrence.

Mr. Winston presented the following resolution:

Resolved, That this House will, at 12 o'clock this day, proceed

to the consideration of the bill to re-charter the Bank of the State, and then to the bill to re-charter the Cape Fear Bank, and will consider no other business, night sessions excepted, until said two bills are disposed of; which, on motion of Mr. J. H. White, was laid upon the table; yeas 54, nays 42.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Baxter, Black, Blow, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Craven, Garland, Gentry, Gilliam, Gorrell, G. Green, Grist, A. D. Headen, Horton, Humphrey, Jarvis, Johnson, Jones, H. Leach, Love, McDuffiie, McKesson, McMillan, March, Mebane, Roland, Russell, Sharpe, Sherrill, Shipp, Simmons, Singeltary, Steele, Stubbs, Tomlinson, Walser, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams and S. A. Williams—54.

Those who voted in the negative, were,

Messrs. Barringer, Bryant, Bullock, Cofield, Daniel, Daughtry, Davenport, Flynt, Furr, M. Green, J. H. Headen, Hill, Holland, Houston, Jenkins, Long, Lyon, Mann, Martin, Meares, Mordecai, J. W. Neal, Norment, Outlaw, Patterson, Rand, Regan, Settle, Shaw, Shepherd, Smallwood, Smith, Sutton, Thornburg, Turner, Vance, Watts, G. M. White, C. W. Williams, T. H. Williams, Winston and Wright—42.

Mr. Bryson presented a resolution in favor of Ebenezer Newton, which was read the first time, passed and referred to the committee on claims.

Mr. S. A. Williams, a resolution in favor of Drury King, which was read the first time and passed.

Mr. Barringer asked and obtained leave of absence for Mr. Cook, and

Mr. Gorrell, for Mr. Johnson.

The House now resumed the consideration of the unfinished business of yesterday, being the engrossed bill to incorporate the Bank of Wilmington and the pending amendment submitted by Mr Baxter.

Mr. Phillips moved to suspend the rule which limits the time members shall speak, and the House refused to suspend; yeas 33, nays 63.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Barringer, Blow, Bogle, D. F. Caldwell, Carmichael, Chadwick, Craven, Dargan, Davenport, G. Green, J. H. Headen Jordan, H. Leach, March, Mebane, Outlaw, Patterson, Perkins, Phillips, Rand, Sharpe, Shepherd, Shipp, Singeltary, Steele, Stubbs, Thornburg, Tomlinson, Turner, Whitaker, Wilkins, S. A. Williams and Winston—33.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Black, Bryant, Bryson, Bullock, Cansler, Cofield, Cook, Daniel, Daughtry, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Grist, Harrison, A. D. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Long, Lyon, McKesson, McMillan, Mann, Martin, Meares, Mordecai, J. W. Neal, Norment, Patton, Regan, Roland, Rose, Russell, Settle, Shaw, Sherrill, Simmons, Smallwood, Smith, Sutton, Vance, Walser, Watts, Waugh, L. Whitfield, N. B. Whitfield, B. F. Williams, C. W. Williams, D. Williams, T. H. Williams, Wright and Yancey—63.

The question now recurring upon the amendment submitted by Mr. Baxter on yesterday, it was rejected; yeas 6, nays 91.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Baxter, A. H. Caldwell, D. F. Caldwell, Chadwick, G. Green and Vance—6.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Cofield, Cook, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jones, Jordan, H. Leach, Long, Lyon, McMillan, Mann, Martin, Meares, Mebane, Mordecai, J. W. Neal, Norment, Outlaw, Patterson, Perkins, Phillips, Rand, Regan, Roland, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Steele, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Walser, Watts, Waugh, Whitaker, G. M. White, L. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A.

Williams, T. H. Williams, Winston, Wright and Yancey—91.

The hour having arrived under the rule, the House took a recess.

Three o'clock, P. M.

The House resumed the consideration of the bill pending at the time of taking a recess.

Mr. Baxter offered the following amendment:

Be it further enacted, That the State shall be entitled, in consideration of the franchise hereby granted, to have as a bonus from the corporation, one share of the capital stock for every twenty shares owned by individuals, and to receive thereon, as other stockholders, her due proportion of dividends and profits; and upon the dissolution of the corporation, a like proportion of the capital stock: and the governor may, from time to time, appoint a proxy to represent the State in all general or occasional meetings of the stockholders.

To which amendment, Mr. S. A. Williams offered the following: Strike out "twenty" and insert "forty."

Which amendment was adopted; yeas 48, nays 42.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bryson, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Cook, Craven, Daniel, Flynt, Garland, Gentry, G. Green, J. H. Headen, Hill, Holland, Horton, Humphrey, Johnson, H. Leach, Lyon, Mann, March, Martin, Mebane, Mordecai, J. W. Neal, Patton, Phillips, Rose, Russell, Sharpe, Sherrill, Shipp, Simmons, Sutton, Thornburg, Turner, Vance, Watts, Whitaker, D. Williams and S. A. Williams—48.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Black, Bullock, Cofield, Dargan, Daughtry, Davenport, Furr, Gilliam, Gorrell, Grist, A. D. Headen, Jones, Long, Love, McDuffie, McKesson, McMillan, Meares, Norment, Outlaw, Patterson, Perkins, Regan, Roland, Shaw, Shepherd, Singeltary, Smallwood, Smith, Steele, Stubbs, Walser, Waugh, G. M. White, J. H. White, Wilkins, C. W. Williams, T. H. Williams, Winston and Yancey—42.

The question recurring upon the amendment offered by Mr.

Baxter as amended, it was rejected; yeas 41, nays 49.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Badham, Baxter, Blow, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Daniel, Garland, Gentry, G. Green, Harrison, J. H. Headen, Holland, Humphrey, H. Leach, Love, Lyon, McKesson, March, Martin, Mebane, Mordecai, J. W. Neal, Patton, Phillips, Shaw, Sherrill, Shipp, Simmons, Singeltary, Sutton, Turner, Vance, Watts, Whitaker, J. H. White, C. W. Wilhams, S. A. Williams, Wright and Yancey—41.

Those who voted in the negative, were,

Messrs. A. Barnes, J. Barnes, Barringer, Black, Bryant, Bullock, Cansler, Cofield, Craven, Dargan, Daughtry, Davenport, Flynt, Furr, Gilliam, Gorrell, Grist, A. D. Headen, Hill, Horton, Houston, Johnson, Jones, Long, McDuffie, McMillan, Mann, Meares, Norment, Outlaw, Patterson, Perkins, Regan, Roland, Rose, Russell, Shepherd, Smallwood, Smith, Steele, Stubbs, Thornburg, Walser, Waugh, G. M. White, Wilkins, D. Williams, T. H. Williams and Winston—49.

Mr. Outlaw submitted the following amendment, which was read and adopted:

Provided, That nothing herein contained shall be so construed as to restrain any future General Assembly from taxing dividends belonging to individuals or corporations; said tax not to exceed that which may be imposed on interest received from money loaned.

The hour having now arrived under the rule, the House took a recess.

Seven o'clock, P. M.

Mr. ——, by the consent of the House, introduced a bill to incorporate the Carolina City Company, which was read the first time and passed; the rule being suspended, the same was read the second and third time, passed, and ordered to be engrossed.

The following bills were read the second time and passed; the rule being suspended, the same were severally read the third time, passed, and ordered to be engrossed, to wit:

A bill to authorize Samuel W. Chadwick, late sheriff of Craven county, to collect arrears of taxes;

A bill to aid in the completion of the road from Vanoy's mill, through Ashe to the Virginia line;

A bill to incorporate the trustees of the Warsaw Male High School, in Duplin county;

A bill to lay off and improve a public road from the forks of lyy, to the top of the dividing ridge in Madison county;

A bill to amend an act passed in the year 1836, entitled an act to incorporate the town of Greensboro', in the county of Guilford;

A bill to emancipate Louis Dunn, a slave;

A bill concerning the town of Rutherfordton;

A bill to incorporate the Rutherford and McDowell Plankroad and Turnpike Company;

A bill to fix and settle the dividing line between the counties of Chatham and Alamance;

A bill to amend an act passed at the session of 1852, entitled an act concerning the place of trial for civil process returnable before justices of the peace;

A bill to appoint commissioners to lay off and improve the public road leading from Brown's Ford on the Yadkin, in Wilkes county, to Witherspoon's Ford, in Caldwell county;

A bill to incorporate the Raleigh and Cape Fear Plankroad Company;

A bill to incorporate the Holston Conference Female College, in the town of Asheville;

A bill to incorporate the Lawrence Hotel, in the city of Raleigh; and

A bill to incorporate the Haywood Mining and Manufacturing Company.

A bill in favor of Geo. Wortham and John Galloway of the county of Brunswick, having been read the second time, was taken from the table, and Mr. S. A. Williams offered a substitute for the bill, which was adopted, and the same passed its second reading; the rule being suspended, it was read the third time, passed, and was ordered to be engrossed.

A resolution in favor of Holston Conference Female College, was read the second time, amended, and passed; the rule being suspended, the same was read the third time, passed, and ordered to be engrossed.

A bill to regulate the weight of salt sold by the sack, was read the second time and laid upon the table.

The following engrossed bills from the Senate were read the first time and passed; the rule being suspended, they were severally read the second and third time and passed, and ordered to be enrolled:

A bill to incorporate the Anson Institute;

A bill to incorporate the Warrenton Plankroad Company;

A bill supplemental to an act, entitled an act to lay off and establish a new county by the name of Wilson; and

A resolution in favor of James McKimmon.

The following engrossed bills were read the second time and passed; the rule being suspended, the same were severally read the third time and passed, and ordered to be enrolled:

A bill for completing, furnishing and enclosing the buildings and grounds of the Lunatic Asylum;

A bill to authorize the building of a toll bridge over the Roanoke river, at the town of Halifax, and to incorporate a company for that purpose; and

A resolution in favor of Walter Gwynn, chief engineer.

A bill to incorporate the Pasquotank and Perquimons Plankroad Company was read the second time, amended and passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

On motion by Mr, Yancey, the bill to establish the county seat of Madison was taken from the table; having been before read the third time, now passed its third reading, and was ordered to be engrossed.

Received from the Senate a message, informing that they have passed the engrossed bill from the House to amend the charter of the town of Salisbury;

The resolution in favor of N. W. Woodfin and R. V. Blackstock; and

The resolution in favor of Henry D. Turner, with amendments thereto; in which they ask the concurrence of the House: the House agreed to the amendments, and the Senate was informed by Message.

A bill to pay talis jurors was read the second time and amended.

Mr. Geo. Green moved that the bill be indefinitely postponed; which motion was lost: yeas 37, nays 39.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Baxter, Blow, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Cansler, Carmichael, Chadwick, Daniel, Furr, Garland, Gentry, G. Green, J. H. Headen, Jones, H. Leach, McMillan, Mordecai, Outlaw, Patterson, Patton, Roland, Russell, Shaw, Shepherd, Sherrill, Shipp, Smith, Steele, Stubbs, Sutton, Whitaker, J. H. White, D. Williams and Yancey—37.

Those who voted in the negative, were,

Messrs. Barringer, Black, Bryant, A. H. Caldwell, Craven, Dargan, Gorrell, M. Green, A. D. Headen, Hill, Holland, Houston, Humphrey, Jenkins, Johnson, Long, Love, Lyon, McKesson, Mann, March, Mebane, J. W. Neal, Norment, Perkins, Regan, Sharpe, Simmons, Singeltary, Smallwood, Thornburg; Vance, Watts, Waugh, Wilkins, C. W. Williams, S. A. Williams, T. H. Williams and Wright—39.

The bill was then, on motion, laid upon the table.

The engrossed bill relating to the Fayetteville and Warsaw Plankroad Company was read the first time and passed; the rule being suspended, the same was read the second time; and

Mr. S. A. Williams moved to lay the bill upon the table; which motion was lost: Yeas 21, nays 44.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. J. Barnes, D. F. Caldwell, Daniel, Holland, Jenkins, Long, Lyon, Mann, J. W. Neal, Outlaw, Perkins, Simmons, Singeltary, Smallwood, Smith, Stubbs, Thornburg, J. H. White, S. A. Williams, Winston and Yancey—21.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Black, Bogle, Bryson, J. B. Bynum, Carmichael, Chadwick, Craven, Dargan, Davenport, Furr, Garland, Gentry, Gorrell, A. D. Headen, Hill, Houston, Johnson, H. Leach, Love, McKesson, McMillan, Meares, Mordecai, Patton, Regan, Roland, Russell, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Steele, Sutton, Vance, Watts, Waugh, Whitaker, Wilkins, C. W. Williams, D. Williams and Wright—44.

The House now adjourned to to-morrow morning, 10 o'clock.

MONDAY, FEBRUARY 12, 1855.

Mr. Jenkins asked for, and obtained leave of absence for Mr. Bryant.

Mr. Mebane, from the committee on finance, to whom was referred a message from his excellency the Governor, transmitting a communication from Wm. J. Clarke, commissioner to settle the account of the State with the Raleigh and Gaston Railroad Company, and accompanying documents, reported that it is a proper subject for judicial investigation, and that it is inexpedient to legislate thereon;

Which report was concurred in.

On motion by Mr. Phillips, the engrossed bill concerning salaries and fees was taken up, the same having been before read in this House the second time.

Mr. Phillips submitted the following amendment:

Strike out all amendments except those affecting comptroller and constables, "two and a half per cent."; to which amendment,

Mr. Martin offered the following amendment:

Strike out "the salary of the superintendent of common schools."

The question being first taken on the latter amendment, it was rejected; yeas 44, nays 46.

The yeas and nays demanded by Mr. Lyon.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Black, Bryant, Bryson, Bullock, J. G. Bynum, Cansler, Chadwick, Cotten, Craven, Dargan, Flynt, Furr, Garland, Gentry, G. Green, A. D. Headen, Hill, Holland, Houston, Jenkins, Jones, Long, Lyon, Martin, Mordecai, J. W. Neal, Rose, Sharpe, Sherrill, Simmons, Singeltary, Thornburg, Walser, Watts, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, B. F. Williams, C. W. Williams, D. Williams, Wright and Yancey—44.

Those who voted in the negative, were,

Messrs. Amis, Badham, Barringer, Baxter, Blow, Bogle, J. B. Bynum, A. H. Caldwell, Cook, Daniel, Davenport, Eure, Gilliam, Gorrell, M. Green, Grist, Harrison, J. H. Headen, Humphrey, Johnson, Jordan, H. Leach, McKesson, McMillan, Mann, Meares, Mebane, S. J. Neal, Outlaw, Patterson, Patton, Phillips, Shaw, Shepherd, Shipp, Smallwood, Smith, Stubbs, Sutton,

Turner, Vance, Whitaker, G. M. White, S. A. Williams, T. H. Williams and Winston—46.

The question now recurring upon the amendment submitted by Mr. Phillips, it was adopted, and the bill, as amended, passed its second reading; the rule being suspended, the same was read the third time and passed.

The engrossed bill concerning Revised Code, was taken up and

read the third time, amended, and passed.

The engrossed bill concerning pilots, was taken up and read the third time; and

Mr. Gilliam submitted the following amendment:

In section 32, line 3, strike out the words, "the same sum," and insert "one half the sum."

Which amendment was lost; yeas 28, nays 62.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Baxter, Bogle, J. G. Bynum, A. H. Caldwell, Chadwick, Cotten, Craven, Daniel, Davenport, Eure, Gilliam, G. Green, Grist, Harrison, Jones, Love, Mann, March, S. J. Neal, Outlaw, Patterson, Roland, Shipp, Stubbs, Thornburg, Turner, Vance and B. F. Williams—28.

Those who voted in the negative, were,

Messrs. Amis, Badham, J. Barnes, Black, Blow, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Carmichael, Dargan, Daughtry, Flynt, Furr, Gentry, Gorrell, M. Green, A. D. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, H. Leach, Long, Lyon, McDuffie, McKesson, McMillan, Martin, Meares, Mordecai, Perkins, Rand, Rose, Settle, Shaw, Shepherd, Sherrill, Singeltary, Smallwood, Smith, Sutton, Tomlinson, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, C. W. Williams, D. Wilhams, S. A. Williams, T. H. Williams, Wright and Yancey—62.

Mr. Stubbs submitted the following amendment, as a substitute for 32d section:

If any pilot shall go off to any vessel, (three-fourths of which shall be owned by citizens of this State,) and offer to pilot her over Ocracock bar, the master or commander, if he refuses to take such pilot, and has not been previously furnished with one, or spoken

by one, shall pay half the sum as is now allowed by law, to be recovered before a justice of the peace, if the same be within his jurisdiction.

Which amendment was rejected; yeas 30, nays 64.

The yeas and nays demanded by Mr. Meares.

Those who voted in the affirmative, were,

Messrs. Baxter, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Cotten, Craven, Daniel, Davenport, Eure, Gilliam, G. Green, Grist, Harrison, J. H. Headen, Johnson, Jones, Mann, March, S. J. Neal, Outlaw, Patterson, Shipp, Stubbs, Thornburg, Turner, Vance and B. F. Williams—30.

Those who voted in the negative, were,

Messrs. Amis, Badham, J. Barnes, Black, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Dargan, Daughtry, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, A. D. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, H. Leach, Long, Love, Lyon, McDuffie, McKesson, McMillan, Martin, Meares, Mordecai, J. W. Neal, Perkins, Rand, Rose, Settle, Shaw, Shepherd, Sherrill, Simmons, Singeltary, Smallwood, Smith, Sutton, Tomlinson, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, C. W. Williams, D. Williams, S. A. Wılliams, T. H. Williams, Wright and Yancey—64.

The bill was then passed its third reading, and was ordered to be enrolled.

Mr. Patterson submitted the following resolution, which was read and laid upon the table:

Resolved, That a message be sent to the Senate proposing to rescind the joint resolution of the two Houses to adjourn sine die on Wednesday next at 12 o'clock, M.

Received from the Senate a message informing that they have passed the engrossed bill from the House, supplemental to and amendatory of an act passed at the session of 1852–'53, entitled an act to bring into market the lands pledged for the completion of the Western Turnpike Road, with amendments, in which they ask the concurrence of the House.

The House agreed to the amendments, and the Senate was informed by message.

Also, a message informing that they have agreed to the amend-

ments proposed by the House to the engrossed bill concerning salaries and fees; and the said bill was ordered to be enrolled.

The House now resumed the consideration of the unfinished business of yesterday, being the engrossed bill to incorporate the bank of Wilmington.

Mr. D. F. Caldwell submitted the following amendment:

Be it further enacted, 'That the legislature shall have the power at any time to increase the capital stock of said bank, and authorize the public treasurer to subscribe for such amount of the stock as the legislature may direct: Provided, That the stock thus subscribed on the part of the State shall not exceed one-half of the capital of said bank, and that the State in no event is to have more than one director where the individual stockholders have two.

Which was rejected; yeas 23, nays 74.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Amis, Baxter, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Cotton, Craven, Eure, G. Green, Houston, Humphrey, Johnson, Love, Mann, Mebane, Mordecai, J. W. Neal, Sharpe, Simmons, Singeltary, Whitaker and S. A. Williams—23.

Those who voted in the negative, were,

Massrs. Badham, J. Barnes, Barringer, Black, Blow, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, Cansler, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Jarvis, Jenkins, Jones, Jordan, H. Leach, Long, Lyon, McDuffie, McKesson, McMillan, Martin, Meares, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Shipp, Smallwood, Smith, Sutton, Thornburg, Turner, Walser, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williems, C. W Williams, D. Williams, T. H. Williams, Winston, Wright and Yancey—74.

Mr. Singeltary submitted the following amendment:

Be it further enacted, That no loan shall be made to any subscriber for stock in said bank, until one-half of the capital stock shall be actually paid in: and no loan or loans shall be made to

any director or officer of the bank, exceeding, in the aggregate, at any time, the sum of five thousand dollars.

Mr. Barringer called for a division of the amendment; and the question being first taken upon the first clause of the amendment, it was adopted; yeas 62, nays 29.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Amis, Badhain, J. Barnes, Barringer, Baxter, Blow, Bogle, Bryant, Bullock, J. B. Bynuin, J. G. Bynuin, A. H. Caldwell, D. F. Caldwell, Cansler, Chadwick, Cotton, Craven, Daughtry, Eure, Flynt, Gentry, Gorrell, G. Green, M. Green, Hill, Holland, Johnson, H. Leach, Lyon, McDuffie, McKesson, Martin, Mebane, J. W. Neal, Outlaw, Patterson, Phillips, Rand Rose, Russell, Settle, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Sutton, Thomburg, Tomlinson, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—62.

Those who voted in the negative, were,

Messrs. Black, Bryson, Carmichael, Dargan, Furr, Garland, Gilliam, Grist, A. D. Headen, J. H. Headen, Jenkins, Jones, Long, Love, McMillan, Mann, Meares, S. J. Neal, Patton, Roland, Shaw, Shepherd, Turner, Vance, Walser, G. M. White, Wilkins, B. F. Williams and T. H. Williams—29.

The question now being taken upon the latter clause of the amendment submitted by Mr. Singeltary, it was rejected; yeas 32, nays 57.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Baxter, Blow, Bryant, J. B. Bynum, D. F. Caldwell, Chadwick, Cotton, Craven, Daughtry, Eure, Gorrell, G. Green, M. Green, Hill, Holland, Johnson, H. Leach, J. W. Neal, Phillips, Settle, Simmons, Singeltary, Smallwood, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, S. A. Williams and Wright—32.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Black, Bogle, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Dargan, Grist, A. D. Headen, J. H. Headen, Houston, Humphrey, Jarvis, Jenkins, Jones, Long,

Love, Lyon, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Rand, Roland, Rose, Sharpe, Shaw, Shepherd, Sherrill, Shipp, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, G. M. White, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, T. H. Williams, Winston and Yancey—57.

Mr. Singeltary now moved to amend the bill, by limiting the amount to be loaned to any officer or director, to the sum of ten thousand dollars; which was lost.

Mr. Baxter offered the following amendment, which was adopted:

Be it further enacted, That no director, or other officer of the said bank, shall directly or indirectly receive any compensation for any agency; for negotiating any business with the bank, or its agencies in procuring discounts, renewing notes, or receiving monies for individuals or notes discounted; and any such director or other officer thus receiving compensation, shall be removed from office and be disqualified from thereafter holding any office in said bank or any of its agencies.

Mr. Baxter submitted the following amendment:

Strike out, of the 4th line in the 11th section, the word "thirty," and insert "fifty," which was rejected; yeas 35, nays 57

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Badham, Baxter, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Craven, Daniel, G. Green, Harrison, Humphrey, Johnson, H. Leach, Love, McKesson, March, Martin, Mebane, J. W. Neal, Russell, Sharpe, Shipp, Simmons, Singeltary, Smallwood, Smith, Sutton, Thornburg, Turner, Vance, Watts, B. F. Williams, C. W. Williams, S. A. Williams and Yancey—35.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, Barringer, Black, Blow, Bryant, Bryson, Bullock, J. G. Bynum, Cansler, Dargan, Daughtry, Davenport, Eure, Flynt, Furr, Gentry, Gorrell, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Jarvis, Jenkins, Jones, Jordan, Long, Lyon, McDuffie, McMillan, Mann, Meares, Mordecai, Outlaw, Patterson, Patton, Perkins, Phillips,

Rand, Roland, Rose, Shaw, Shepherd, Sherrill, Stubbs, Tomlinson, Walser, Waugh, Whitaker, N. B. Whitfield, Wilkins, D. Williams, T. H. Williams and Winston—57.

Mr. Baxter submitted the following amendment:

Strike out of the 10th line of the 11th section, the words "fifty cents," and insert "one dollar;"

To which amendment, Mr. Winston offered the following:

Provided, That the tax in this case shall not be greater than that imposed on shares in such other banks as may be chartered at this or some other succeeding General Assembly; which was adopted.

The question now recurring upon the amendment as amended, it was adopted; yeas 79, nays 20.

The yeas and nays demanded by Mr. Baxter. Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Barringer, Baxter, Blow, Bogle, Bryant, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Craven, Daniel, Dargan, Davenport, Eure, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, M. Green, Grist, A. D. Headen, Holland, Humphrey, Johnson, Jordan, H. Leach, Love, Mc-Kesson, Mann, March, Martin, Mebane, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Sharpe, Sherrill, Shipp, Simmons, Singeltary, Smallwood, Smith, Stubbs, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, Winston, Wright and Yancey—79.

Messrs. Amis, Black, Bryson, Daughtry, Hill, Houston, Jarvis, Jenkins, Jones, Long, Lyon, McDuffie, McMillan, Meares, Shaw, Shepherd, Sutton, Walser, N. B. Whitfield and T. H. Williams

Those who voted in the negative, were,

-20.

Mr. Martin submitted the following amendment, which was adopted;

Strike out the words "or other equivalent," wherever they appear in the bill.

The bill as amended, now passed its second reading; the rule being suspended, the same was read the third time and passed. Mr. Meares moved to suspend the rule, and to take up the engrossed bill to re-charter the Bank of Cape Fear.

It requiring an affirmative vote of two-thirds to suspend the rule, the motion was lost; yeas 60, nays 31.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Barringer, Black, Blow, Bryant, Bullock, J. B. Bynum, Cansler, Daniel, Dargan, Daughtry, Eure, Flynt, Furr, Gilliam, M. Green, A. D. Headen, Hill, Houston, Jaivis, Jenkins, Jordan, Long, Lyon, McKesson, McMillan, Mann, Martin, Meares, Mordecai, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Shaw, Shepherd, Sherrill, Shipp, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, T. H. Williams, Winston and Yancey—60.

Those who voted in the negative, were,

Messrs. J. Barnes, Baxter, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Craven, Garland, Gorrell, Grist, Holland, Humphrey, Johnson, Jones, H. Leach, Love, McDuffie, Mebane, J. W. Neal, S. J. Neal, Patton, Roland, Russell, Simmons, Singeltary, Smallwood, Walser, C. W. Williams and S. A. Williams—31.

Mr. Winston moved to take up the bill to recharter the Bank of the State of North Carolina.

Mr. Baxter moved to amend, by taking up the Peoples' Bank of the State of North Carolina.

Mr. Roland moved to lay the motion and amendments upon the table, and the motion to lay on the table was lost; yeas 22, nays 69.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Badham, Baxter, Bryson, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Garland, Gilliam, Grist, Holland, Houstou, Humphrey, Love, McDuffie, Mebane, J. W. Neal, Roland, Singeltary, Smallwood, Stubbs and S. A. Williams—22.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Blow, Bogle, Bryant, Bullock, J. B. Bynum, Cansler, Daniel, Dargan, Daughtry, Eure, Flynt, Furr,

Gentry, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Jarvis, Jenkins, Jones, Jordan, H. Leach, Long, Lyon, McKesson, McMillan, Mann, March, Martin, Meares, Mordecai, S. J. Neal, Outlaw, Perkins, Phillips, Rand, Rose, Russell, Setttle, Sharpe, Shaw, Sherrill, Shipp, Simmons, Smith, Sutton, Thornburg, Tomlinson, Turner, Vance, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams, T. H. Williams, Winston and Yancey—69.

The question now being taken upon Mr. Baxter's amendment, it was lost; yeas 34, nays 60.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Badham, Baxter, Bogle, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Daniel, Gentry, Gilliam, Gorrell, G. Green, Humphrey, Johnson, Jones, Love, McKesson, March, Meares, Mebane, Phillips, Sharpe, Shaw, Singelary, Smallwood, Smith, Tomlinson, Turner, Whitaker, N. B. Whitfield, B. F. Williams, C. W. Williams and Yancey—34.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, Barringer, Black, Blow, Bryant, Bryson, J. B. Bynum, Cansler, Craven, Dargan, Daughtry, Eure, Flynt, Furr, Garland, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Jarvis, Jenkins, Jordan, H. Leach, Long, Lyon, McDuffie, McMillan, Mann, Martin, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Rand, Roland, Russell, Settle, Shepherd, Sherrill, Shipp, Simmons, Sutton, Thornburg, Vance, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, Wilkins, D. Williams, S. A. Williams, Winston and Wright—60.

Mr. Bynum, of Rutherford, now moved to amend the original motion by taking up the bill to increase the capital stock of the Bank of Charlotte; and

Mr. Amis moved to lay the amendment upon the table;

Which motion was lost; yeas 46, nays 49.

The yeas and nays demanded by Mr. Winston.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Baxter, Blow, Bogle, J.

B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Carmichael, Chadwick, Craven, Daniel, Gentry, Gılliam, Gorrell, G. Green, Grist, Harrison, Hill, Houston, Jarvis, Johnson, Jones, Jordan, Love, McDuffie, Mann, March, Mebane, J. W. Neal, Patton, Phillips, Rand, Roland, Sharpe, Singeltary, Smallwood, Stubbs, Turner, Whitaker, G. M. White and C. W. Wılliams—46.

Those who voted in the negative, were,

Messrs. Barringer, Black, Bryant, Bryson, Bullock, Dargan, Daughtry, Davenport, Flynt, Furr, M. Green, A. D. Headen, J. H. Headen, Holland, Jenkins, H. Leach, Long, Lyon, Mc-Kesson, McMillan, Martin, Meares, Mordecai, S. J. Neal, Outlaw, Patterson, Perkins, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smith, Sutton, Thornburg, Tomlinson, Vance, Walser, Watts, Waugh, J. H. White, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, Winston, Wright and Yancey—49. The Speaker laid before the House a communication from his

The Speaker laid before the House a communication from his excellency the Governor, transmitting a communication from Wm. A. Wright, the State's director in the Wilmington and Raleigh Railroad, on the subject of releasing certain wharf property, heretofore conveyed to the State for certain purposes; and

Mr. Shepherd introduced the following resolution:

Resolved, That the Governor or the literary board, be authorized to release the lien of the State, upon the wharf property of the Wilmington and Raleigh Railroad Company, or their assigns.

The same was read the first time and passed.

The rule being suspended, it was read the second time; and Mr. Phillips offered a substitute, which was adopted; and the resolution as amended passed its second reading.

The same was read the third time and passed, and ordered to be engrossed.

The hour having now arrrived, the House took a recess.

Three o'clock, P. M.

Mr. Outlaw presented the following resolution:

Resolved, That the bill to extend the charter of the State Bank, and to increase its capital stock, be made the special order, immediately after the adoption of this resolution, and that it continue so until finally disposed of.

Mr. Singeltary offered the following as a substitute:

That the different bills, private and public, now before the House, shall be taken up immediately after the adoption of this resolution, and each made the special order in its time, as it stands on the file, until finally disposed of;

Which was rejected; yeas 44, nays 51.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Baxter, Blow, Bogle, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Craven, Daughtry, Flynt, Garland, Gilliam, G. Green, J. H. Headen, Hill, Holland, Humphrey, Jarvis, Love, McDuffie, March, Martin, Mebane, J. W. Neal, Patton, Phillips, Roland, Sharpe, Shaw, Singeltary, Stubbs, Vance, Whitaker, J. H. White, N. B. Whitfild, B. F. Williams, C. W. Williams, S. A. Williams and Yancey—44.

Those who voted in the negative, were,

Messrs. Barringer, Black, Bryant, Bryson, Cansler, Cotten, Daniel, Dargan, Davenport, Furr, Gentry, Gorrell, M. Green, Grist, A. D. Headen, Horton, Jenkins, Johnson, Jones, H. Leach, Long, Lyon, McKesson, McMillan, Mann, Meares, S. J. Neal, Oglesby, Outlaw, Patterson, Perkins, Rand, Russell, Settle, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Thornburg, Tomlinson, Turner, Walser, Watts, Waugh, L. Whitfield, Wilkins, D. Williams, T. H. Williams and Winston—51.

Mr. Geo. Green submitted the following amendment; which was rejected:

Strike out the "Bank of the State," and insert "Union Bank."

Mr. Whitaker submitted the following amendment:

Strike out "the bill to re-charter the Bank of the State," and insert, "a bill concerning the State Agricultural Society."

Which amendment was lost; yeas 22, nays 72.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Baxter, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Gilliam, Humphrey, Jordan, Love, McDuffie, Mebane, Sharpe, Singeltary, Smith, Turner, Whitaker, G. M. White and Yancey—22.

Those who voted in the negative, were,

Messrs. Barringer, Black, Blow, Bogle, Bryant, Bryson, Bullock, A. H. Caldwell, Cansler, Cotten, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gorrell, G. Green, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Jenkins, Jones, H. Leach, Long, Lyon, McKesson, McMillan, Martin, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Stubbs, Sutton, Thornburg, Tomlinson, Walser, Watts, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams and Winston—72.

Mr. Baxter offered the following as a substitute for the original resolution:

Whereas, There is no necessity for the re-charter, at this session, of the Bank of the State, and the Bank of Cape Fear, inasmuch as five years of their charters remain unexpired, and they have ample time thereafter to wind up their business, and can afford as much accommodation to the public for the next two years, without as with an extension of their corporate powers: And whereas, there are other important bills pending before this General Assembly, which must fail for the want of time, if the bills first aforesaid are made, contrary to the rules of this House, to take precedence of them: be it therefore

Resolved, That the House will take up and consider all the other applications for the establishment of banks, and for the increase of the capital stock of the Commercial Bank of Wilmington, and the Bank of Charlotte, before considering the two bills first above named.

Which was rejected; yeas 34, nays 56.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Baxter, Bogle, Bryson, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Chadwick, Craven, Garland, G. Green, Grist, Holland, Horton, Humphrey, Jarvis, Johnson, Jones, Love, March, Mebane, J. W. Neal, Patton, Sharpe, Singeltary, Vance, Walser, Whitaker, B. F. Williams, C. W. Williams, D. Williams and Yancey—34.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Blow, Bryant, Bullock, Cansler, Cotten, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Gentry, Gilliam, G. rrell, M. Green, A. D. Headen, J. H. Headen, Hill, Jenkins, H. Leach, Long, Lyon, McKesson, McMillan, Mann, Martin, Meares, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Roland, Russell, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Stubbs, Thornburg, Tomlinson, Turner, Watts, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, S. A. Williams and Winston—56.

Mr. Hill offered the following as a substitute:

Resolved, That the consideration of all the bank bills, be postponed until all the other bills on the table are disposed of;

Which was rejected; yeas 39, nays 56.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Baxter, Blow, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Chadwick, Craven, Daughtry, Garland, Gentry, G. Green, Grist, Harrison, Hill, Horton, Houston, Humphrey, Jarvis, Love, McDuffie, March, Mebane, J. W. Neal, Patton, Phillips, Roland, Rose, Sharpe, Singeltary, Swallwood, Turner, G. M. White, J. H. White, B. F. Williams, C. W. Williams, D. Williams and S. A. Williams—39.

Those who voted in the negative, were,

Messrs. Barringer, Bogle, Bryant, Bryson, Bullock, A. H. Caldwell, Cansler, Carmichael, Cofield, Cotten, Dargan, Davenport, Flynt, Furr, Gorrell, M. Green, A. D. Headen, J. H. Headen, Holland, Jenkins, Johnson, Jones, Jordan, H. Leach, Long, Lyon, McKesson, McMillan, Mann, Martin, Meares, Mordecai, S. J. Neal, Outlaw, Patterson, Rand, Russell, Settle, Shaw, Shepherd, Sherrill, Simmons, Smith, Stubbs, Sutton, Thornburg, Vance, Walser, Watts, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, Wilkins, Winston and Yancey—56.

Mr. Amis moved to lay the original resolution upon the table; which motion was lost; yeas 47, nays 48.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, are,

Messrs. Amis, Badham, J. Barnes, Baxter, Black, Bogle, Bryant, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Cald-

well, Chadwick, Craven, Daniel, Daughtry, Davenport, Furr, Garland, Gilliam, G. Green, Harrison, A. D. Headen, Hill, Holland, Houston, Humphrey, Jarvis, H. Leach, Long, Love, McDuffie, March, Mebane, Phillips, Rose, Sharpe, Singeltary, Stubbs, Vance, Walser, J. H. White, L. Whitfield, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams and Yancey—47.

These who voted in the negative, were,

Messrs. Barringer, Blow, Bryson, Bullock, Cansler, Carmichael, Cofield, Cotten, Dargan, Flynt, Gentry, Gorrell, M. Green, J. H. Headen, Jenkins, Jones, Jordan, Lyon, McKesson, McMillan, Martin, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Perkins, Rand, Russell, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Sutton, Thornburg, Turner, Watts, Waugh, Whitaker, G. M. White, N. B. Whitfield, Wilkins, T. H. Williams and Winston—48.

Mr. Davenport submitted the following amendment:

Amend by striking out "the State Bank of North Carolina," and insert "the Bank of Plymouth," which was rejected; yeas 25, nays 69.

The yeas and nays demanded by Mr Davenport.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Baxter, Blow, J. G. Bynum, D. F. Caldwell, Chadwick, Craven, Davenport, Gilliam, G. Green, Harrison, Humphrey, Jones, Jordan, Love, McDuffie, March, Sharpe, Singeltary, Stubbs, Turner, N. B. Whitfield and D. Williams—25.

Those who voted in the negative, were,

Messrs. Barringer, Black, Bogle, Bryant, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Cotten, Dargan, Daughtry, Flynt, Furr, Gentry, Gorrell, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Jenkins, Hugh Leach, Long, Lyon, McKesson, McMillan, Martin, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Shipp, Simmons, Smallwood, Smith, Sutton, Thornburg, Tomlinson, Vance, Walser, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, Wilkins, B. F.

Williams, C. W. Williams, S. A. Williams, T. H. Williams, Winston and Yancey—69.

Mr. D. F. Caldwell offered the following as a substitute:

WHEREAS, There has been direct and specific charges made, of misconduct on the part of some of the prominent officers of the Bank of the State in this Hall:

Therefore resolved, That all action be suspended on the bill now before the Legislature to re-charter the said bank, until the aforesaid charges be substantiated or disproved by a full and thorough investigation into this subject, by a committee appointed by this Legislature to report to the next Assembly.

Pending the consideration of which, the hour arrived, and the House took a recess.

Seven o'clock, P. M.

Mr. Bogle asked for and obtained leave of absence for Mr. Horton.

Mr. G. M. White, for Mr. Eure from and after to night;

Mr. Winston, for Mr. Daniel; and

Mr. Barringer, for Mr. Craven from and after Wednesday next.

The following bills were read the second time and passed; the rule being suspended, they were severally read the third time, passed, and ordered to be engrossed, to wit:

A bill to pay talis jurors;

A bill to establish a toll bridge across Neuse River;

A bill to repeal the 4th section of an act passed at the session of 1850-'51, entitled an act to amend an act to incorporate the Caldwell and Ashe Turnpike Company, passed by the General Assembly of 1846-'7, and for other purposes;

A bill to prohibit the sale of spirituous liquors within two miles of Richland Academy;

A bill supplemental to an act passed by the General Assembly at the session of 1850-'51, entitled an act to enlarge the powers of the commissioners of the town of Wilmington; and

A bill to incorporate the Locksville and Cumberland Plankroad Company.

A bill to increase the pay of jurors in New Hanover county, was read the third time, and amended by adding the counties of Brunswick, Pasquotank, Rowan and Cleveland; and the bill as

amended, passed its third reading, and was ordered to be engross-sed.

Received from the Senate a message, proposing to raise a joint select committee of two on the part of each House, to inquire and report whether the business before the two Houses can be accomplished by Wednesday next at 12, M.

The House concurred in the proposition; yeas 57, nays 38.

The yeas and nays demanded by Mr. Yancey.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, Cansler, Cofield, Dargan, Daughtry, Davenport, Garland, Gentry, Gorrell, A. D. Headen, J. H. Headen, Hill, Houston, Jenkins, Jones, H. Leach, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Shaw, Shepherd, Shipp, Singeltary, Smallwood, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Waugh, Whitaker, G. M. White, J. H. White, N. B. Whitfield, Wilkins, S. A. Williams, T. H. Williams and Winston—57.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, Baxter, Blow, Bryant, Bullock, J. B. Bynum, D. F. Caldwell, Carmichael, Chadwick, Craven, Eure, Flynt, Furr, G. Green, M. Green, Holland, Horton, Jarvis, Johnson, Jordan, Long, Martin, J. W. Neal, Russell, Steele, Sharpe, Sherrill, Simmons, Smith, Vance, Walser, Watts, L. Whitfield, B. F. Williams, C. W. Williams, D. Williams and Yancey—38.

So the House concurred in the proposition of the Senate, and the Speaker appointed Messrs. Outlaw and J. B. Bynum on the part of the House, and the Senate was informed by message.

Received from the Senate a message informing, that Messrs. Haughton and Faison form the Senate branch of said committee.

A bill supplementary to an act passed at the present session of the General Assembly, entitled an act to incorporate the Wilmington and Charlotte Railroad Company, was read the third time and passed, and ordered to be engrossed.

The following bills were severally read the second time and indefinitely postponed:

A bill to alter the line between the counties of Madison and Buncombe;

A bill to alter the county line of Watauga county; and

A bill to incorporate the Union Agricultural Society of Virginia and North Carolina.

Mr. Mordecai presented a resolution in favor of W. H. & R. S. Tucker;

Which was read the first time and passed.

The rule being suspended, the same was read the second and third time and passed, and ordered to be engrossed.

Mr. Phillips presented a resolution in favor of W. L. Pomeroy; Which was read the first time and passed.

The rule being suspended, the same was read the second and third time and passed, and orded to be engrossed.

The engrossed bill to incorporate the Greensboro' Mining and Manufacturing Company; and

The engrossed bill to incorporate the Indian Grave Gap Turnpike Company, were read the first time and passed.

The rule being suspended, the same were severally read the second and third time and passed, and ordered to be enrolled.

A bill more effectually to prevent the sale of spirituous liquors to slaves, was read the second time; and

Mr. Singeltary submitted an amendment, which was adopted.

Mr. Baxter moved that the bill be indefinitely postponed;

Which motion was lost; yeas 25, nays 46.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Baxter, Carmichael, Craven, Daughtry, Gorrell, G. Green, M. Green, Grist, J. H. Headen, Hill, Holland, Jarvis, Love, McDuffie, Mann, Mordecai, S. J. Neal, Rand, Roland, Russell, Settle, Thornburg, Vance, D. Williams and Wright—25.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Barringer, Blow, Bogle, Bryant, Bryson, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Chadwick, Cofield, Daniel, Garland, Gentry, A. D. Headen, Houston, Jenkins, H. Leach, Long, McKesson, McMillan, March, Martin, Meares, Mebane, Perkins, Phillips, Shaw, Shepherd, Simmons, Singeltary, Smallwood, Stubbs, Sutton, Tomlinson, Turner, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, B. F. Williams, S. A. Williams, T. H. Williams and Winston—46.

Mr. Outlaw, from the joint select committee, appointed to examine into the business before the two Houses, reported that there was a large number of bills still before the General Assembly to be acted upon, and that in the opinion of the committee, the two Houses could not adjourn on Wednesday next.

Which report was concurred in.

Received from the Senate a message accompanied by the following engrossed resolution, in which they ask the concurrence of the House, viz:

Resolved, That the joint resolution of the two Houses proposing to adjourn on Monday the 14th instant, at 12 M., be resemded; and that this General Assembly will adjourn sine die, on Saturday the 17th instant, at 12 o'clock, M.

Mr. Baxter moved to lay the message and resolution upon the table;

Which motion was lost; yeas 30, nays 54.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Baxter, Blow, Bryant, J. B. Bynum, D. F. Caldwell, Carmichael, Gentry G. Green, M. Green, Grist, Holland, Jarvis, Johnston, Long, Martin, J. W. Neal, Russell, Settle, Shaw, Sherrill, Simmons, Tomlinson, Vance, Watts, L. Whitfield, B. F. Williams, C. W. Williams, D. Williams and Wright—30.

Those who voted in the negative, were,

Messrs. Amis, Badham, Barringer, Black, Bogle, Bryson, A. H. Caldwell, Chadwick, Cofield, Craven, Daniel, Dargan, Daughtry, Eure, Flynt, Furr, Garland, Gorrell, A. D. Headen, J. H. Headen, Hill, Houston, Jenkins, H. Leach, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Outlaw, Patton, Perkins, Phillips, Rand, Roland, Shepherd, Singeltary, Smallwood, Smith, Stubbs, Sutton, Thornburg, Turner, Waugh, Whitaker, N. B. Whitfield, S. A. Williams, T. H. Williams and Winston—54.

The House now concurred in the resolution from the Senate, and a message was sent informing them of the same.

Received from the Senate a message, informing that they have passed the engrossed bill from the House, to incorporate the Alamance and Caswell Plankroad Company, with amendments, in

which they ask the concurrence of the House; the House agreed to the amendments, and informed the Senate by message.

On motion by Mr. McDuffie, the House now adjourned to to-morrow morning, 10 o'clock.

TUESDAY, FEBRUARY 13, 1855.

On motion by Mr. Humphrey, the rule was suspended and the bill to incorporate a company to construct a railroad from some point on the waters of Beaufort Harbor, hereafter to be determined, to the town of Fayetteville, was taken up and read the third time, and laid upon the table.

On motion by Mr. Stubbs, the rule was suspended, and the bill to incorporate the Washington Savings Institution, in Beaufort county, was taken up and read the second and third time and passed, and ordered to be enrolled.

The House now resumed the consideration of the unfinished business of yesterday, being the resolution presented by Mr. Outlaw, to take up the bill to re-charter the Bank of the State, and make it the special order, and to continue until disposed of; and the pending amendment submitted by Mr. D. F. Caldwell.

Mr. Roland submitted the following amendment to the pending amendments, which was rejected:

Resolved, 1st, That a joint committee of conference consisting of three, on the part of the House, and three on the part of the Senate, shall be raised, who shall take into consideration what banks it is necessary to charter and re-charter; and that they be required to report during the day the same, and amendments thereto.

Resolved, 2d, 'That when said report is made, the House shall proceed to read the bills in their order, and pass upon them without debate.

Mr. Barringer submitted the following amendment to the pending amendment, which was rejected:

And be it further resolved, That said committee have power to send for persons and papers, and present, by report or otherwise, the specific charges against the said bank or their officers, with the names of the persons implicated, and all the circumstances connected with the said charges against said banks and their officers.

The question now recurring upon the amendment submitted by Mr. Caldwell, it was rejected; yeas 16, nays 74.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. Baxter, Bogle, D. F. Caldwell, Carmichael, Chadwick, G. Green, Humphrey, Jordan, Love, March, Roland, Singeltary, Smallwood, Turner, Vance and B. F. Williams-16.

Those who voted in the negative, were,

Messrs. Badham, A. Barnes, J. Barnes, Barringer, Black, Blow. Bryant, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, Cansler, Cofield, Cotten, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill. Holland, Jarvis, Jenkins, Jones, H. Leach, Long, Lyon, McMillan, Mann, Martin, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Perkins, Philips, Rand, Rose, Russell, Shaw, Shepherd, Sherill, Shipp, Simmons, Smith, Sutton, Thornburg, Tomlinson, Watts, Waugh, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, C. W. Williams, D. Williams, T. H. Williams, Winston and Wright-74.

The question now recurring upon the original resolution, it was adopted, and the engrossed bill to recharter the Bank of the State of North Carolina was accordingly taken up, aud read the first time and passed; the rule being suspended, the same was read the second time; and

Mr. Baxter submitted the following amendment:

Strike out of the 1st section the words "eighty-five" and insert "seventy;" which amendment was lost; yeas 42, nays 47.

The yeas and nays demanded by Mr. Baxter. Those who voted in the affirmative, were,

Messrs. Badham, J. Barnes, Baxter, Bryant, Bryson, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Craven, Gentry, G. Green, Humphrey, Jordan, H. Leach, Long, Love, McKesson, March, Mebane, J. W. Neal, Roland, Russell, Shaw, Shipp, Simmons, Singeltary, Smallwood, Stubbs, Tomlinson, Vance, Watts, Waugh, J. H. White, L. Whitfield, N. B. Whitfield, B. F. Williams, C. W. Williams, Wright and Yancey-42.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Barringer, Blow, Bogle, Bullock, Cansler, Cofield, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gorrell, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Jenkins, Jones, Lyon, McMillan, Meares, Mordecai, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Shepherd, Sherrill, Smith, Sutton, Thornburg, Turner, G. M. White, Wilkins, S. A. Williams, T. H. Williams and Winston—47.

Mr. Baxter submitted the following amendment:

Strike out the words, "eighty-five" in the first section, and insert, "seventy-five."

Mr. Outlaw moved to amend the amendment, by striking out "seventy-five," and inserting "eighty;" and

Mr. Smith called for a division of the question.

The question being first taken upon striking out, it was determined in the negative; yeas 36, nays 55.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs, Badham, J. Barnes, Baxter, Bogle, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Craven, Davenport, Garland, G. Green, Grist, Humphrey, Jordan, H. Leach, Long, Love, McKesson, March, Mebane, J. W. Neal, Roland, Russell, Simmons, Singeltary, Smallwood, Stubbs, Vance, Waugh, L. Whitfield, N. B. Whitfield, B. F. Williams and Yancey—36.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, Barringer, Black, Blow, Bryson, Bullock, Cansler, Cofield, Daniel, Dargan, Daughtry, Flynt, Furr, Gentry, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Jarvis, Jenkins, Jones, Lyon, McMillan, Mann, Martin, Meares, Mordecai, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Settle, Shaw, Shepherd, Sherrill, Shipp, Smith, Sutton, Thornburg, Tomlinson, Turner, Whitaker, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston and Wright—55.

So the House refused to strike out; and

Mr. J. G. Bynum moved to amend, by striking out the second section of the bill;

Which amendment was lost; yeas 19, nays 72.

The yeas and nays demanded by Mr. J. G. Bynum.

Those who voted in the affirmative, were,

Messrs. Badham, Baxter, Bogle, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Chadwick, Craven, G. Green, Grist, Hill, Jordan, Love, March, Russell, Singeltary, Smallwood, B. F. Williams and Yancey—19.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, J. Barnes, Barringer, Black, Blow, Bryson, Bullock, A. H. Caldwell, Cansler, Carmichael, Cofield, Daniel, Dargan, Daughtry, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, A. D. Headen, J. H. Headen, Holland, Humphrey, Jarvis, Jenkins, Jones, H. Leach, Long, Lyon, Mc-Kesson, McMillan, Mann, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Settle, Sharpe, Shaw, Shepherd, Sherrill, Simmons, Smith, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston and Wright—72.

Mr. Baxter submitted the following amendment, which was adopted: Strike out "or their equivalent," in the 5th section.

Mr. Gilliam submitted the following amendment, to come in after and form part of the 11th section:

"And that said president and directors of said bank shall be obliged to establish a branch in the town of Plymouth, with a capital of not less than two hundred thousand dollars;" which was rejected.

Mr. D. F. Caldwell submitted the following amendment, to come in at the end of the 13th section:

"And that the dividends of the profits, semi-annually divided among the stockholders of the Bank, shall not exceed three and a half per cent., and that all profits over and above seven per cent. per annum, shall be paid into the public treasury, as a tax or bonus for the charter hereby granted: *Provided*, no part of this section shall be so construed or interpreted as to prevent the president and directors of the bank from setting apart any portion of the seven per cent. hereby authorized to be annually declared and divided, as a contingent or sinking fund for the benefit of said institution."

Which amendment was rejected; yeas 8, nays 70.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Baxter, D. F. Caldwell, Hill, Jordan, Love, Singeltary, Vance and Yancey—S.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, Barringer, Black, Bogle, Bryson, Bullock, J. G. Bynum, Cansler, Carmichael, Coffeld, Cotten, Craven, Daniel, Dargan, Daughtry, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Holland, Humphrey, Jenkins, Lancaster, H. Leach, Long, Lyon, McKesson, McMillan, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Rose, Russell, Shaw, Shepherd, Sherrill, Simmons, Smith, Sutton, Thornburg, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, T. H. Williams, Winston and Wright—70.

The hour having arrived under the rule, the House took a recess,

Three o'clock, P. M.

Mr. J. B. Bynum asked for and obtained leave of absence for Mr. Smallwood, from and after to-morrow.

Mr. Amis asked for, and obtained leave of absence for Mr. Lyon, from and after this day.

The House now resumed the consideration of the bill to recharter the Bank of the State of North Carolina; and

Mr. Patterson submitted the following amendment, which was adopted:

In section 14th, strike out "first day of May and November," and insert "15th day of June and November."

Mr. Shepherd submitted the following amendment, which was adopted:

In 21st line, 14th section, after the word "time" insert "to time."

Mr. Baxter submitted the following amendment:

Strike out of the 15th section, the word "thirty," and insert "fifty";

Which amendment was lost; yeas 18, nays 67.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Baxter, Bryson, D. F. Caldwell, Carmichael, Craven, Gorrell, H. Leach, Love, McKesson, March, Mebane, Simmons, Singeltary, Stubbs, Turner, Vance, B. F. Williams and Yancey—18.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, Barringer, Black, Bogle, Bullock, J. G. Bynum, Cansler, Cofield, Cotten, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, M. Green, Grist, Harrison, A. D. Headen, J. H. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, Long, Lyon, McMillan, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Rose, Russell, Shaw, Shepherd, Sherrill, Smith, Sutton, Thornburg, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, N. B. Whitfield, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston and Wright—67.

Mr. Baxter submitted the following amendment:

Strike out of the 1st section, the words "fifty cents," and insert "one dollar."

Mr. Winston submitted the following amendment to the amendment:

Provided, That the tax imposed in this case shall not be greater than that imposed on the shares of stock owned in other banks, created by this or subsequent legislatures;

Which was adopted; yeas 78, nays 9.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bogle, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Grist, Harrison, J. H. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, Mc-Kesson, McMillan, Mann, March, Meares, Mebane, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Shaw, Shepherd, Sherrill, Simmons,

Smith, Sutton, Thornburg, Tomlinson, Watts, Waugh, Whitaker, G. M. White, J. H. White, N. B. Whitfield, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—78.

Those who voted in the negative, were,

Messrs. Baxter, D. F. Caldwell, G. Green, J. W. Neal, Singeltary, Stubbs, Turner, Vance and C. W. Williams—9.

Mr. Outlaw offered the following amendment to the amendment as amended, which was adopted:

And provided further, It shall be lawful for the General Assembly to impose a tax upon dividends belonging to individuals and corporations; said tax not to be greater than that upon money loaned.

The question now recurring upon the original amendment as amended; it was adopted.

Mr. Baxter submitted the following amendments:

Strike out all of the 35th section, after the word "deposit," in the 5th line, which amendment was lost; yeas 26, nays 57.

The yeas and nays demanded by Mr. Baxter.

Those who voted in the affirmative, were,

Messrs. Badham, Baxter, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, G. Green, Holland, Jarvis, Jones, Jordan, Love, McKesson, March, Mebane, Russell, Simmons, Singeltary, Turner, Vance, Whitaker, G. M. White, B. F. Williams and Yancey—26.

Those who voted in the negative, were,

Messrs. J. Barnes, Barringer, Black, Blow, Bullock, J. B. Bynum, Cansler, Cofield, Craven, Daniel, Dargan, Daughtry, Davenport, Furr, Garland, Gentry, Gorrell, M. Green, Grist, Harrison A. D. Headen, J. H. Headen, Hill, Jenkins, Lancaster, H. Leach, Long, Lyon, McMillan, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Settle, Shaw, Shepherd, Sherrill, Smith, Thornburg, Waugh, L. Whitfield, N. B. Whitfield, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston and Wright—57.

Mr. Baxter submitted the following amendment:

Be it further enacted, That the State shall be entitled in consideration of the franchise hereby granted, to have as a bonus from

the corporation one share of the capital stock for every twenty shares owned by individuals, and to receive thereon, as other stockholders, her due proportion of dividends and profits, and upon the dissolution of the corporation a like proportion of the capital stock; which amendment was rejected; yeas 20, nays 66.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Baxter, J. G. Bynum, D. F. Caldwell, Carmichael, Garland, G. Green, Jones, Jordan, Love, McKesson, Mebane, J. W. Neal, Singeltary, Smallwood, Turner, Vance, Whitaker, G. M. White, B. F. Williams and Yancey—20.

Those who voted in the negative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bogle, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Cofield, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Gentry, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Jarvis, Jenkins, Lancaster, H. Leach, Long, Lyon, McMillan, Meares, Mordecai, S. J. Neal, Oglesby, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Settle, Shaw, Shepherd, Sherrill, Simmons, Smith, Stubbs, Sutton, Thornburg, Tomlinson, Watts, Waugh, L. Whitfield, N. B. Whitfield, Wilkins, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston and Wright—66.

Mr. Phillips submitted the following amendments, which were adopted:

Section 33d, add the words "actually paid in;"

Section 32d, strike out "50," and insert "20," (regarding certificates of deposit.)

Mr. Baxter submitted the following amendment; which was read and adopted:

Be it further enacted, That no director or other officer, or clerk of the said bank, shall directly or indirectly receive any compensation for any agency for negotiating any business with the bank or its branches, in procuring discounts, renewing notes, or receiving moneys for individuals or notes discounted; and any such director or other officer or clerk thus receiving compensation, shall be removed from office, and disqualified from thereafter holding any office in said bank or its branches.

Mr. Gorrell submitted the following amendment; which was read and adopted:

Be it further enacted, That if any officer or director of said bank or any of its branches, shall receive any gift, gratuity or reward from any person or persons obtaining any loan or bank accommodation, by reason or on account of the same; or if any officer or director of said bank, or any of its branches, shall discount or purchase any note or bill with his own private funds, and shall afterwards place the same in bank as the property of said bank, all persons so offending shall be deemed guilty of a misdemeanor; and, upon conviction, shall be fined and imprisoned at the discretion of the court trying said case: Provided, That the superior courts of law in this State shall have sole jurisdiction of said offence.

Mr. McKesson submitted the following amendment; which was rejected:

The president and directors of said bank shall establish a branch of said bank at the town of Salisbury, with a capital of not less than two hundred and fifty thousand dollars.

Mr. Mebane submitted the following amendment; which was adopted:

Be it further enacted, That this act shall be null and of no effect, unless the same is accepted in six months next after the rise of this General Assembly.

The question now recurring upon the passage of the bill its second reading, it was passed; yeas 85, nays 7.

The yeas and nays demanded by Mr. Geo. Green.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bogle, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, McKesson, McMillan, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Simmons, Smallwood, Smith, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Watts, Waugh, Whita-

ker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—85.

Those who voted in the negative, were,

Messrs. Baxter, J. G. Bynum, D. F. Caldwell, G. Green, Love, Singeltary and Vance—7.

The rule being suspended, the bill was read the third time.

Mr. Mebane offered the following amendment, which was rejected: In 3d section, strike out the words "at its present session."

Mr. J. G. Bynum moved to amend the bill by striking out the third section, which amendment was lost.

The question now recurring upon the passage of the bill its third reading, it was passed; yeas 83, nays 6.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Barringer, Black, Blow, Bogle, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Cofield, Craven, Daniel, Dargan, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, Grist, A. D. Headen, J. H. Headen, Hill, Holland, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, McKesson, McMillan, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Simmons, Smallwood, Smith, Stubbs, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—83.

Those who voted in the negative, were,

Messrs. Baxter, J. G. Bynum, D. F. Caldwell, G. Green, Love and Singeltary—6.

Mr. Outlaw offered the following resolution:

Resolved, That the bill to recharter the Bank of Cape Fear, and to increase its capital stock, be made the special order immediately after the adoption of this resolution, and so continue until finally disposed of.

Which was adopted; yeas 67, nays 20.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, Barringer, Black, Blow, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, Cansler, Cofield, Daniel, Dargan, Daughtry Flynt, Furr, Garland, Gentry, Gorrell, M. Green, Grist, A. D. Headen, J. H. Headen, Holland, Jarvis, Jenkins, Jones, Jordan, Lancaster, Long, Lyon, McKesson, McMillan, March, Meares, Mébane, Mordecai, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Settle, Shaw, Shepherd, Sherrill, Simmons, Smith, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, T. H. Williams, Winston, Wright and Yancey—67.

Those who voted in the negative, were,

Messrs. Badham, Baxter, Bogle, Bryson, D. F. Caldwell, Craven, Gilliam, G. Green, Hill, H. Leach, Love, J. W. Neal, Patton, Roland, Russell, Singeltary, Smallwood, Stubbs, C. W. Williams and S. A. Williams—20.

The said bill was accordingly taken up, and pending the reading thereof, the hour arrived under the rule, and the House took a recess.

Seven o'clock, P. M.

The House now proceeded to the consideration of the unfinished business of last night session, being a bill more effectually to prevent the sale of spirituous liquors to slaves, and for other purposes, the question being shall the bill pass its second reading, which was determined in the negative; yeas 14, nays 56.

The yeas and nays demanded by S. A. Williams.

Those who voted in the affirmative, were,

Messrs. J. B. Bynum, Cofield, Jenkins, Long, J. W. Neal, Shepherd, Simmons, Singeltary, Smallwood, Waugh, J. H. White, B. F. Williams, C. W. Williams and S. A. Williams —14.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, Barringer, Baxter, Bogle, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Cansler, Carmichael, Craven, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Humphrey, Jarvis, Jones, Jordan, H. Leach, Love, McKesson,

McMillan, Mann, March, Mebane, Mordecai, S. J. Neal, Outlaw, Patton, Phillips, Rand, Roland, Rose, Russell, Shaw, Sherrill, Smith, Thornburg, Tomlinson, Turner, Vance, Whitaker, N. B. Whitfield, D. Williams, T. H. Williams and Wright—56. So the bill was rejected.

Mr. Shepherd asked for and obtained leave of absence for Mr. M. Green; Mr. Baxter, for Mr. Simmons; Mr. Gorrell, for Mr. Baxter; and Mr. Tomlinson, for Mr. A. Barnes.

Received from the Senate a message, informing that they have agreed to the amendments proposed by the House to the engrossed bill to incorporate the Bank of Wilmington; and the said bill was ordered to be enrolled.

Also a message informing that they have passed the engrossed bill from the House, to incorporate the Laurel Turnpike Company, with amendments, in which they ask the agreement of the House.

The amendments were read and agreed to, and the Senate informed by message.

The engrossed bill relating to the Fayetteville and Warsaw Plankroad Company was taken up, and the question being, shall the bill pass its second reading;

Which was determined in the affirmative; yeas 48, nays 28.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, Carmichael, Cofield, Craven, Daniel, Daughtry, Davenport, Flynt, Garland, Gentry, Gilliam, A. D. Headen, J. H. Headen, Humphrey, Jarvis, Jones, Jordan, H. Leach, Long, Love, McKesson, McMillan, March, Mebane, S. J. Neal, Patterson, Patton, Perkins, Roland, Russell, Shaw, Shepherd, Sherrill, Vance, Waugh, Whitaker, G. M. White, J. H. White, N. B. Whitfield, Wilkins, C. W. Williams and T. H. Williams—48.

Those who voted in the negative, were,

Messrs. J. Barnes, Blow, Bullock, J. B. Bynum, Gorrell, G. Green, M. Green, Hill, Holland, Jenkins, Mann, Mordecai, Outlaw, Phillips, Rand, Simmons, Smallwood, Smith, Stubbs, Thornburg, Tomlinson, Turner, L. Whitfield, B. F. Williams, S. A. Williams, Winston and Wright—28.

So the bill passed its second reading, and the rule being suspended, the same was read the third time and passed, and was ordered to be enrolled.

Mr. Jordan presented a resolution in favor of Henry Brown; Which was read the first time and passed, and referred to the committee on claims.

The engrossed bill to increase the capital stock of the Fayetteville and Western Plankroad Company, was read the second time; and

On motion by Mr. Jenkins, it was indefinitely postponed; yeas 41, nays 40.

The yeas and nays demanded by Mr. C. W. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, Blow, Bullock, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Daniel, Daughtry, Davenport, Furr, Gorrell, G. Green, M. Green, J. H. Headen, Jarvis, Jenkins, Jones, Jordan, Mebane, Mordecai, Outlaw, Perkins, Phillips, Rand, Simmons, Singeltary, Smallwood, Smith, Stubbs, Tomlinson, Turner, Vance, Whitaker, G. M. White, N. B. Whitfield, B. F. Williams, D. Williams, S. A. Williams, Winston and Wright—41.

Those who voted in the negative, were,

Messrs. Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, Carmichael, Cofield, Dargan, Flynt, Garland, Gentry, Gilliam, A. D. Headen, Hill, Holland, Humphrey, Hugh Leach, Long, Love, McKesson, McMillan, Mann, March, Meares, J. W. Neal, S. J. Neal, Patterson, Patton, Roland, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Thornburg, Waugh, C. W. Williams and T. H. Williams—40.

The following engrossed bills from the Senate, were read the first time and passed; the rule being suspended, they were severally read the second and third time, passed, and ordered to be enrolled:

A bill supplemental to an act, entitled an act to establish a new county by the name of Harnett;

A bill further to prohibit trading with slaves, in the counties of Mecklenburg and Northampton;

A bill to incorporate the Charlotte Gold Mining Company; and

A bill to incorporate the Dan River Steam Navigation Company.

A bill to authorize certain counties to subscribe for stock in the Western North Carolina Railroad, was read the second time, and pending the consideration thereof,

On motion by Mr. Waugh, the House adjourned to to-morrow morning, 10 o'clock.

WEDNESDAY, FEBRUARY 14, 1855.

The Speaker laid before the House a message from the Senate, informing that they have passed the following engrossed bills from the House, with amendments, in which they ask the concurrence of the House, to wit:

A bill to prevent the felling of timber in the North-east river, in Duplin county;

A bill to incorporate the Carolinia City Company; and,

A bill to authorize the Governor to furnish weights and measures for the county of Yadkin; and the House agreed to the proposed amendments, and informed the Senate by message.

A bill to incorporate a company to construct a railroad from some point on the waters of Beaufort Harbor, hereafter to be determined, to the town of Fayettevile, was read the third time, passed and ordered to be engrossed.

The engrossed bill to re-charter the Bank of Cape Fear, was read the second time; and Mr. T. H. Williams submitted the following amendments, which were severally adopted:

Strike out of — line, of the — section, the words "twenty-five," and insert "thirty," and in line —, strike out "fifty cents," and insert "one dollar in the whole."

Adds as a provise to the —— section, the words, " Provided, That the tax in this case, shall not be greater than that imposed on shares in such other banks as may be chartered at this or some other succeeding General Assembly; and provided further, That nothing herein contained, shall be so construed as to restrain any future General Assembly from taxing dividends belonging to individuals or corporations; said tax not to exceed that which may be imposed on interest received for money loaned.

Be it further enacted, That no director or other officer of the

said bank, shall directly or indirectly, receive any compensation for any agency in negotiating any business with the bank or its agencies, in procuring discounts, renewing notes or receiving monies for individuals, or notes discounted; and any such director or other officer thus receiving compensation, shall be removed from office and be disqualified from thereafter holding any office in said bank or any of its agencies.

Be it further enacted, That if any officer or director of said bank, or any of its branches, shall receive any gift, gratuity or reward from any person or persons obtaining any loan or bank accommodation, by reason or on account of the same; or if any officer or director of said bank or any of its branches, shall discount or purchase any note or bill with his own private funds, and shall afterwards place the same in bank as the property of said bank, all persons so offending shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined and imprisoned at the discretion of the court trying said case: Provided, That the superior courts of law in this State shall have sole jurisdiction of said offence.

Mr. Amis submitted the following amendment; which was adopted:

Strike out all of the 10th section after the words "capital stock," in the 4th line, and insert "actually paid in;" and strike out "over and above."

Mr. Smith submitted the following amendment; which was adopted:

Be it further enacted, That the additional subscrption authorized by this charter shall be paid in gold and silver, or notes of specie paying banks of other States.

Mr. D. F. Caldwell offered the following amendment; which was rejected.

Be it further enacted, That the officers of the principal bank shall retain all the profits of the bank over seven per cent. per annum on the capital stock of said bank actually paid in, and pay the same into the public treasury for the benefit of the State, and as a bonus for the charter hereby granted.

Mr. Gorrell offered the following amendment: Strike out of the first section, in the 8th line, 1880, and insert 1875.

Upon which a division was called for; and the question being

first taken upon striking out, it was determined in the negative; yeas 34, nays 49.

The yeas and nays demaded by Mr. G. Green.

Those who voted in the affirmative, were,

Messrs. Badham, Baxter, Bogle, Bryson, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Carmichael, Chadwick, Cotten, Garland, Gorrell, G. Green, Humphrey, Jordan, H. Leach, Long, Love, Lyon, March, Mebane, J. W. Neal, Outlaw, Patterson, Russell, Settle, Simmons, Singeltary, Stubbs, Watts, L. Whitfield, N. B. Whitfield, B. F. Williams and C. W. Williams—34.

Those who voted in the negative, were,

Messrs. Amis, A. Barnes, J. Barnes, Black, J. G. Bynum, Cansler, Cofield, Dargan, Daughtry, Flynt, Furr, Gilliam, M. Green, Grist, A. D. Headen, Hill, Houston, Jarvis, Jenkins, Jones, Lancaster, McDuffie, McKesson, McMillan, Mann, Meares, Mordecai, Patton, Perkins, Phillips, Rand, Rose, Shaw, Shepherd, Sherrill, Smith, Thornburg, Turner, Waugh, Whitaker, G. M. White, J. H. White, Wilkins, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—49.

So the House refused to strike out, and the bill as amended now passed its second reading; the rule being suspended, the same was read the third time and passed; yeas 79, nays 6.

The yeas and nays demanded by Mr. Love.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, J. Barnes, Black, Bogle, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cansler, Carmichael, Cofield, Cotten, Dargan, Daughtry, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Houston, Jarvis, Jenkins, Jones, Jordan, Lancaster, H. Leach, Long, Lyon, McDuffie, McKesson, McMillan, Mann, Meares, March, Mebane, Mordecai, J. W. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Rose, Russell, Settle, Shaw, Shepherd, Sherrill, Simmons, Smallwood, Smith, Stubbs, Thornburg, Turner, Vance, Watts, Waugh, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams, Winston, Wright and Yancey—79.

Those who voted in the negative, were,

Messrs. Baxter, D. F. Caldwell, Chadwick, G. Green, Love

and Singeltary—6.

On motion by Mr. Shepherd, the engrossed bill to incorporate the Bank of Clarendon, at Fayetteville, was taken up and read the second time; and

Mr. Amis submitted the following amendment; which was adopted:

Strike out the words, "or their equivalent," wherever they occur in the bill.

Mr. Baxter submitted the following amendment:

Strike out of the third section the following words, "twenty-five thousand dollars," and insert "two hundred thousand dollars;"

Which was adopted; yeas 44, nays 32.

The yeas and nays demanded by Mr. Baxter.

. Those who voted in the affirmative, were,

Messrs. Amis, Badham, A. Barnes, Baxter, Bogle, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Carmichael, Chadwick, Daughtry, Furr, Gorrell, G. Green, J. H. Headen, Lancaster, H. Leach, Love, Lyon, McKesson, March, Mebane, J. W. Neal, Outlaw, Patton, Phillips, Rose, Settle, Simmons, Singeltary, Smallwood, Stubbs, Smith, Thornburg, Tomlinson, Turner, Vance, Watts, Waugh, Whitaker, L. Whitfield, Wilkins, B. F. Williams and S. A. Williams—44.

Those who voted in the negative, were,

Messrs. Bryson, Bullock, Cansler, Cofield, Dargan, Flynt, Garland, Gentry, Gilliam, M. Green, Grist, A. D. Headen, Holland, Houston, Jarvis, Jenkins, Jones, Jordan, Long, McDuffie, McMillan, Mann, Meares, Mordecai, S. J. Neal, Russell, Shaw, Shepherd, G. M. White, N. B. Whitfield, T. H. Williams and Wright—32.

Mr. Baxter submitted the following amendments, which were adopted:

Strike out the word "one" in the first line of the 4th section, and insert "four;" and strike out of the same section the words "twenty-five thousand dollars," and insert "two hundred thousand dollars."

Strike out of the 5th section, the words "over and above the sum there actually deposited in the bank for safe keeping."

Mr. Smith offered the following amendment, which was adopted: Strike out the word "allowed" in the 8th section, and insert "required."

Mr. Singeltary submitted the following amendments:

Be it further enacted, That no loan shall be made to any subscriber for stock in said bank, until one half of the capital stock has been actually paid in.

Be it further enacted, That no loan or loans shall be made to any director or officer of said bank amounting in the aggregate at any time to more than the sum of five thousand dollars.

A division of the amendment was called for by Mr. Barringer, and the question being first taken upon the 1st section of the amendment, it was adopted.

The question recurring upon the last section of the amendment, it was rejected.

Mr. Baxter submitted the following amendments, which were severally adopted:

In the 5th section, 21st line, after "cashier," insert "director." In section 10, line 10, strike out "twenty-five," and insert "fifty."

Mr. Shepherd submitted the following amendment:

Add to the 10th section as follows,—Provided, That the tax in this case shall not be greater than that imposed on shares in such other banks as may be chartered at this or some other succeeding General Assembly;

To which amendment, Mr. Outlaw offered the following amendment:

Provided further, That this or any future General Assembly shall have the power to tax the dividends belonging to individuals and corporations; said tax shall not exceed the tax on the interest of money loaned.

The question being first taken upon the latter amendment, it was adopted.

The question now recurring upon the amendment as amended, it was adopted.

Mr. T. H. Williams submitted the following amendments, which were severally adopted:

Be it further enacted, That no director or other officer of the said bank shall directly or indirectly receive any compensation for

any agency in negotiating any business with the bank or its agencies in procuring discounts, renewing notes, or receiving monies for individuals, or notes discounted; and any such director or other officer thus receiving compensation, shall be removed from office, and be disqualified from thereafter holding any office in said bank, or any of its agencies.

Be it further enacted, That if any officer or director of said bank or any of its branches, shall receive any gift, gratuity or reward from any person or persons, obtaining any loan or bank accommodation, by reason or on account of the same; or if any officer or director of said bank or any of its branches, shall discount or purchase any note or bill with his own private funds, and shall afterwards place the same in bank as the property of said bank, all persons so offending, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined and imprisoned at the discretion of the court trying said case: Provided, that the superior court of law in this State, shall have sole jurisdiction of said offences.

Mr. Outlaw offered the following amendment, which was adopted:

Be it further enacted, That before the said bank shall commence discounting, the president and cashier shall take and subscribe an eath, that two hundred thousand dollars in gold and silver is actually and bona fide paid, and in the vaults of the bank, as provied in this charter, which eath shall be forwarded to the Governor of the State, and any president or cashier, who shall make any false eath knowingly and willingly, shall be guilty of perjury, and upon due conviction, shall suffer the pains and penalties provided by the laws of this State, for the commission of the crime of perjury.

The bill as amended now passed its second reading.

The hour having now arrived, the House took a recess.

Three o'clock, P. M.

The House now resumed the consideration of the bill to incorporate the Bank of Clarendon, at Fayetteville; the same was read the third time; and

Mr. Shepherd moved to amend the bill, by striking out the last amendment submitted by Mr. Outlaw, requiring the presi-

dent and cashier to take and subcribe an oath, &c.; which was carried; yeas 61, nays 21.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Black, Bogle, Bryson, Bullock, A. H. Caldwell, Cansler, Carmichael, Cofield, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gorrell, M. Green, A. D. Headen, J. H. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Jones, H. Leach, Long, McDuffie, McKesson, McMillan, Mann, March, Meares, Mebane, Mordecai, J. W. Neal, S. J. Neal, Patton, Perkins, Rand, Roland, Rose, Russell, Selby, Shaw, Shepherd, Thornburg, Tomlinson, Vance, Waugh, G. M. White, J. H. White, L. Whitfield, Wilkins, C. W. Williams, D. Williams, T. H. Williams, Winston and Wright—61.

Those who voted in the negative, were,

Messrs. Amis, J. B. Byuum, J. G. Bynum, D. F. Caldwell, Dargan, Gilliam, G. Green, Grist, Love, outlaw, Patterson, Phillips, Settle, Singeltary, Smallwood, Smith, Stubbs, Turner, B. F. Williams and S. A. Williams—21.

Mr. Jenkins moved to amend, by inserting at the end of line 63, section 5th, "Bank of Clarendon," and between the words "least" and "day," in the *seventh* line of the 4th section, the word "thirty;" which was carried.

The Bill, as amended, now passed its third reading; yeas 64, nays 21.

The yeas and nays demanded by Mr. Mebane.

Those who voted in the affirmative, were,

Messrs. Badham, Barringer, Black, Bogle, Bryson, Bullock, J. B. Bynum, J. G. Bynum, Cansler, Carmichael, Cofield, Daughtry, Davenport, Flynt, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, A. D. Headen, J. H. Headen, Holland, Houston, Humphrey, Jarvis, Jenkins, Jones, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mordecai, J. W. Neal, S. J. Neal, Patton, Perkins, Rand, Roland, Rose, Russell, Selby, Shaw, Shepherd, Sherrill, Smallwood, Thornburg, Tomlinson, Vance, Waugh, Whitaker, G. M. White, L. Whitfield, N. B. Whitefield, C. W. Williams, D. Williams, T. H. Williams, Winston and Wright—64.

Those who voted in the negative, were,

Messis. Amis, J. Barnes, D. F. Caldwell, Cotton, Dargan, M. Green, Grist, Hill, Mebane, Outlaw, Patterson, Phillips, Settle, Singeltary, Smith, Stubbs, Turner, Wilkins, B. F. Williams, S. A. Williams and Yancey—21.

On motion by Mr. Gilliam, a bill to incorporate, a bank in the town of Plymouth in the county of Washington, was taken up and read the second time, and Mr. T. H. Williams submitted the following amendments, which were severally read and adopted:

Add as a proviso to the 15th section the words;

Provided, 'That the tax in this case shall not be greater than that imposed on shares in such other banks as may be chartered at this or some succeeding General Assembly.

Additional proviso to the 15th section;

Provided further, That nothing herein contained shall be so construed as to restrain any future General Assembly from taxing dividends belonging to individuals or corporations; said tax not to exceed that which may be imposed on interest received from money loaned.

Be it further enacted, That no director or other officer of the said bank shall, directly or indirectly, receive any compensation for negotiating any business with the said bank, in procuring discounts, receiving notes or receiving moneys for individuals; and any such director or other officer thus receiving compensation, shall be removed from office, and shall be thereafter disqualified from holding any office in said bank.

Mr. Jenkins submitted the following amendment; which was adopted:

Insert at the end of the 15th section, "Provided, That the said tax may be increased by any future Legislature, to the sum of one dollar.

Mr. Gorrell submitted the following amendment; which was adopted:

Be it further enacted, That no officer or director of said bank, shall receive any gift, gratuity or reward, from any person obtaining any loan or accommodation from said bank on account of, or by reason of said loan or accommodation: and no officer or director of said bank shall, at any time, purchase any bill, note or other evidence of debt, with his own private funds, and afterwards

place the same in said bank as the property of the same; and all persons, so offending, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined and imprisoned at the discretion of the court: *Provided*, nevertheless, That said offence shall be cognizable and triable, only in the superior courts of law in this State.

Mr. Outlaw offered the following amendment:

Be it further enacted, That before the bank shall commence discounting, the cashier and president of the bank, shall take and subscribe an oath, that the sum of one hundred thousand dollars in gold and silver, has been actually and bona fide paid, and is in the vaults of the corporation, and shall transmit the same to the Governor; and any cashier or president who shall knowingly and willingly make any false oath, shall be held and deemed guilty of perjury, and upon being duly convicted, in any court of competent jurisdiction, shall suffer the pains and penalties of perjury, as provided by the laws of this State.

Which amendment was rejected.

Th bill as amended now passed its second reading; yeas 44, nays 29.

The yeas and nays demanded by Mr. Cotten.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, Black, Bryson, Dargan, Davenport, Garland, Gentry, Gilliam, Gorrell, G. Green, Grist, A. D. Headen, J. H. Headen, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, Long, Love, McDuffie, McKesson, McMillan, Meares, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Roland, Russell, Selby, Shepherd, Smith, Stubbs, Thornburg, Vance, Wilkins, D. Williams, S. A. Williams and Winston—44.

Those who voted in the negative, were,

Messrs. Badham, Bullock, J. B. Bynum, D. F. Caldwell, Cansler, Cotten, Daughtry, Flynt, Furr, M, Green, Hill, Holland, H. Leach, Lyon, March, Mordecai, J. W. Neal, Rand, Settle, Singeltary, Smallwood, Tomlinson, Turner, Whitaker, L. Whitfield, N, B. Whitfield, B. F. Williams, C. W. Willams and Wright—29,

The rule being suspended, the said bill was read the third time and passed; yeas 42, nays 31.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Amis, J. Baines, Bryson, J. G. Bynum, Dargan, Davenport, Garland, Gentry, Gilliam, Gorrell, G. Green, A. D. Headen, J. H. Headen, Houston, Humphrey, Jarvis, Jenkins, Jones, Jordan, Love, McKesson, McMillan, Meares, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Roland, Russell, Selby, Shepherd, Smith, Stubbs, Thornburg, Vance, J. H. White, Wilkins, C. W. Williams, D. Williams, S. A Williams and Winston—42.

Those who voted in the negative, were,

Messrs. Badham, Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Daughtry, Flynt, Furr, M. Green, Hill, Holland, Hugh Leach, Lyon, March, Mebane, Mordecai, J. W. Neal, Hhillips, Rand, Settle, Sherrill, Singeltary, Tomlinson, Turner, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, B. F. Williams, Wright and Yancey—31.

Said bill was ordered to be engrossed.

Mr. Settle submitted the following resolution:

Resolved, That a message be sent to the Senate proposing to rescind the present joint order for adjournment, and to adjourn sine die, on to-morrow, at 12 o'clock, M;

Which was laid upon the table; yeas 45, nays 32.

The yeas and nays demanded by Mr. Settle.

Those who voted in the affirmative, were,

Messrs. Amis, Black, Bryson, J. B. Bynum, Dargan, Davenport, Flynt, Furr, Garland, Gilliam, Gorrell, Grist, J. H. Headen, Hill, Houston, Jenkins, Jones, Jordan, H. Leach, Long, Love, McKesson, McMillan, Mann, March, Meares, Mordecai, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Rand, Roland, Russell, Selby, Shepherd, Stubbs, Thornburg, Turner, Whitaker, N. B. Whitfield, Wilkins, S. A. Williams and Winston—45.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Daughtry, Gentry, G. Green, M. Green, A. D. Headen, Holland, Humphrey, Jarvis, Lyon, McDuffie, J. W. Neal, Settle, Sherrill, Singeltary, Smallwood, Smith, Tomlinson, Vance, Waugh, J. H. White, L. Whitfield, B. F. Williams, C. W. Williams, D. Williams, Wright and Yancey—32.

The hour having now arrived, the House took a recess.

Seven o'clock, P. M.

The House proceeded to the consideration of the unfinished business of last night's session, being a bill to authorize certain counties to subscribe stock in the Western North Carolina Railroad.

Mr. Jones moved to lay the bill upon the table;

Which motion was carried; yeas 43, nays 22.

The yeas and nays demanded by Mr. Jones.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, Black, J. B. Bynum, J. G. Bynum, Cansler, Cofield, Cotten, Dargan, Daughtry, Davenport, Furr, Gentry, M. Green, A. D. Headen, Hill, Holland, Houston Jarvis, Jenkins, Jones, Long, McMillan, Meares, Mordecai, Outlaw, Phillips, Rand, Rose, Shaw, Singeltary, Smith, Thornburg, Tomlinson, Waugh, Whitaker, G. M. White, N. B. Whitfield, Wilkins, D. Williams, S. A. Williams, T. H. Williams and Winston—43.

Those who voted in the negative, were,

Messrs. Barringer, Bogle, Bryson, A. H. Caldwell, Carmichael, Flynt, Garland, Gorrell, Harrison, J. H. Headen, H. Leach, Mann, March, S. J. Neal, Patton, Perkins, Roland, Russell, Sherrill, Vance, C. W. Williams and Yancey—22.

The following engrossed bills from the Senate, were read the first time and passed; the rule being suspended, they were severally read the second and third time, passed, and ordered to be enrolled, to wit:

A bill supplemental to an act passed at this session, entitled an act to incorporate the Yadkin Navigation Company;

A bill to incorporate the Gillis Copper Mining Company;

A bill to incorporate Cape Fear Academy, in the county of Bladen;

A bill to incorporate the Union Gold Mining Company;

A bill to incorporate the Consolidated Mining Company of North Carolina;

A resolution in favor of Henry D. Turner; and

A resolution in regard to Burke Square, in the city of Raleigh.

The following engrossed bills from the Senate, were read the first time and passed; the rule being suspended, they were severally read the second and third time, amended, and passed:

A bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company;

A bill to incorporate the Gulf and Deep River Iron Manufacturing Company;

A resolution concerning the distribution of the Revised Code;

A resolution concerning the debt due from the Seaboard and Roanoke Railroad Company.

Mr. D. F. Caldwell asked leave to withdraw a bill introduced by him to incorporate the Peoples' Bank of the State of North Carolina; which was granted by the unanimous consent of the House.

A bill to repeal so much of the act concerning public roads as requires persons of eighteen years of age to work on them, and for other purposes;

A bill to lay off and establish a new county by the name of Graham:

A bill to establish a new county by the name of Alleghany;

A bill to amend the common school law of North Carolina;

A bill to facilitate the decision of controversies arising at law upon sealed and other contracts;

A bill to provide for an Arsenal in the town of Newbern; and

A bill to incorporate the Valley River and Cheowa Turnpike Company, in the county of Cherokee, were severally read the second time, and laid upon the table.

A bill to give a right of action in certain cases where death is caused by neglect, default, or wrongful act; and

A resolution in favor of D. D. Baker, were severally read the second time and passed; the rule being suspended, they were read the third time and passed, and ordered to be enrolled.

A bill to make the killing of stock by railroads *prima facie* evidenc of negligence, was read the second time and laid upon the table; yeas 42, nays 31.

The yeas and nays demanded by Mr. S. A. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Bogle, Bryson, J. G. Bynum, D. F. Caldwell, Cansler, Dargan, Furr, Gorrell, G. Green, Holland, Jones, H. Leach, McDuffie, McMillan, Mann, Meares, Mebane, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Perkins,

Phillps, Rand, Roland, Russell, Shepherd, Sherrill, Singeltary, Stubbs, Thornburg, Turner, Vance, Whitaker, N. B. Whitfield, Wilkins, B. F. Williams, Winston and Wright—42.

Those who voted in the negative, were,

Messrs, J. Barnes, Barringer, Black, Bullock, J. B. Bynum, A. H. Caldwell, Daughtry, Davenport, Flynt, Garland, Gentry, Gilliam, A. D. Headen, Hill, Houston, Jenkins, Jordan, Long, McKesson, Mordecai, Shaw, Smallwood, Smith, Tomlinson, Waugh, J. H. White, C. W. Williams, D. Williams, S. A. Williams, T. H. Williams and Yancey—31.

The following engrossed bills from the Senate were severally read the first time, and laid upon the table, to wit:

A bill to incorporate the Baptist Church Extension Society, of North Carolina;

A bill to incorporate the North Carolina Bible and Baptist Publication Society;

A bill to confirm the election of certain officers in the town of Louisburg, in Franklin county; and

A bill to incorporate the Capp's Hill Gold Mining Company.

The engrossed bill making provision for the reduction of the public debt, was read the first time and passed; the rule being suspended, the same was read the second time and passed.

It was then read the third time, and, on motion of Mr. Shepherd, the further consideration of said bill was postponed until to-morrow evening, at 7 o'clock.

Mr. Shepherd introduced a resolution in favor of the principal engrossing clerk; which was read the first time and laid upon the table.

A bill to amend the charter for the better regulation of the town of Henderson, in the county of Granville, was taken from the table, read the third time, passed, and ordered to be engrossed.

The engrossed bill from the Senate, to improve the navigation of the Roanoke river, was read the first time and passed; the rule being suspended, the same was read the second time; and

Mr. McDuffie moved the bill be indefinitely postponed.

Pending the consideration of which, the House adjourned to to-morrow morning, 10 o'clock.

THURSDAY, FEBRUARY 15, 1855.

Mr. McMillan presented the following resolution:

Resolved, That the bill to increase the capital stock of the Commercial Bank of Wilmington, be taken up and made the order of business until disposed of.

On motion by Mr. S. A. Williams, the resolution was laid upon the table.

Mr. Houston presented a memorial from citizens of the town of Stricklandsville, praying that said town may be incorporated by the name of Magnolia; which was read and laid upon the table.

Received from the Senate a message, informing that they have agreed to the several amendments proposed by the House, to the engrossed bills to re-charter the Bank of the State of North Carolina, and the bill to re-charter the Bank of Cape Fear; and the said bills were ordered to be enrolled.

Also a message informing that they have passed the engrossed bill from the House, to establish the county seat of Madison; and,

A resolution in favor of J. W. Erwin, adm'r, with amendments in which they ask the concurrence of the House.

The House agreed to the amendments proposed.

Mr. Winston presented a resolution in favor of the doorkeepers, which was read the first time and passed; the rule being suspended, the same was read the second and third time, passed and ordered to be engrossed.

Mr. J. Barnes presented the following resolution:

Resolved, That a message be sent to the Senate proposing to rescind the joint resolution in relation to adjournment, and that the two Houses adjourn sine die on Friday, next, at 12 o'clock, which was laid on the table; yeas 41, nays 31.

The yeas and nays demanded by Mr. J. Barnes.

Those who voted in the affiirmative, were,

Messrs. Amis, Barringer, Black, Bryson, A. H. Caldwell, Cansler, Cofield, Cotton, Garland, Gilliam, G. Green, Grist, J. H. Headen, Hill, Houston, Humphrey, Jones, H. Leach, Long, McDuffie, McMillian, Mann, Martin, Meares, Mordecai, S. J. Neal, Patterson, Patton, Perkins, Roland, Rose, Shepherd, Stubbs, Tomlinson, Turner, Whitaker, G. M. White, N. B. Whitfield, S. A. Williams, T. H. Williams and Yancey—41.

Those who voted in the negative, were,

Messrs. J. Barnes, Bullock, J. B. Bynum, Dargan, Daughtry, Davenport, Flynt, Furr, Gorrell, A. D. Headen, Holland, Jarvis, Jenkins, J. W. Neal, Outlaw, Phillips, Rand, Russell, Selby, Shaw, Sherrill, Smith, Thornburg, Vance, Waugh, L. Whitfield, Wilkins, B. F. Williams, D. Williams and Winston—31.

Mr. Holland, by leave, introduced a bill supplemental to an act passed at the present session of the General Assembly, to increase the pay of travers (talis) jurors in New Hanover county; read the first time and passed; the rule being suspended, the same was read the second and third time, amended, passed, and ordered to be engrossed.

The following engrossed bills from the Senate, were read the first time and passed; the rule being suspended, the same were severally read the second and third time, passed, and ordered to be enrolled, viz:

A bill explanatory and amendatory to the act passed at the present session of the General Assembly, entitled an act concerning revenue; and

A bill to incorporate the Cheoih Turnpike Company.

The engrossed bill to encourage agriculture, and for other purposes, was read the first time and passed; the rule being suspended, the bill was read the second time, and

Mr. Martin moved to lay the bill upon the table;

Which motion was disagreed to; yeas 33, nays 35.

The yeas and nays demanded by Mr. Martin.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Black, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Cansler, Dargan, Daughtry, Furr, G. Green, A. D. Headen, Hill, Holland, Jarvis, Jones, McKesson, McMillan, Martin, J. W. Neal, S. J. Neal, Patton, Rand, Russell, Sherrill, Thornburg, Tomlinson, Waugh, G. M. White, N. B. Whitfield, Wilkins, B. F. Williams, T. H. Williams and Yancey—33.

Those who voted in the negative, were,

Messrs. Barringer, Bullock, J. B. Bynum, Cofield, Davenport, Gilliam, Gorrell, Grist, J. H. Headen, Houston, Humphrey, Jenkins, H. Leach, Love, Long, McDuffie, Mann, Meares, Mordecai, Outlaw, Patterson, Perkins, Phillips, Rose, Selby, Shaw,

Shepherd, Singeltary, Smallwood, Stubbs, Turner, Vance, Whitaker, S. A. Williams and Winston-35.

Mr.S. A. Williams moved to amend, by striking out "twenty-five" and inserting "fifteen;" which was adopted.

Mr. Dargan moved to lay the bill upon the table; which was disagreed to; yeas 34, nays 38.

The yeas and nays demanded by Mr. Dargan.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Black, J. G. Bynum, D. F. Caldwell, Cansler, Cotton, Dargan, Daughtry, Furr, Garland, G. Green, A. D. Headen, Hill, Holland, Houston, Jarvis, Jones, H. Leach, Love, J. W. Neal, S. J. Neal, Rose, Russell, Sherrill, Thornburg, Tomlinson, Waugh, G. M. White, L. Whitfield, Wilkins, B. F. Williams, D. Williams, T. H. Williams and Yancey—34.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Bryson, Bullock, J. B. Bynum, A. H. Caldwell, Cofield, Davenport, Gorrell, Grist, J. H. Headen, Humphrey, Jenkins, Long, McDuffie, McKesson, McMillan, Mann, March, Meares, Mordecai, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Selby, Shepherd, Singeltary, Smith, Stubbs, Turner, Vance, Whitaker, N. B. Whitfield, S. A. Williams and Winston—38.

The bill as amended passed its second reading.

The rule being suspended, it was read the third time and passed.

The Speaker laid before the House a message from his excellency the Governor, in relation to the liabilities of the State and the public treasurer; which was read.

Whereupon, Mr. Shepherd introduced the following resolution:

Resolved, That the public treasurer be, and he is hereby authorized to borrow such sum or sums of money, not exceeding three hundred thousand dollars at any one time, as may be necessary to meet the proper liabilities of the State, until the next meeting of the General Assembly;

Which was read the first time and passed.

The rule being suspended, the same was read the second and third time and passed, and ordered to be enrolled and transmitted to the Senate with the message from his excellency the Governor.

A bill to increase the capital stock of the Commercial Bank of Wilmington, was read the second time; and

Mr. McMillan offered a substitute, which was adopted, and the bill as amended passed its second reading; yeas 55, nays 14.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, Barringer, Black, Bryson, J. G. Bynum, A. H. Caldwell, Cofield, Dargan, Furr, Garland, Gilliam, Gorrell, G. Green, Grist, J. H. Headen, Hill, Holland, Houston, Humphrey, Jarvis, Jones, H. Leach, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Roland, Selby, Shaw, Shepherd, Sherrill, Smith, Stubbs, Thornburg, Turner, Vance, G. M. White, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, T. H. Williams, Winston and Yancey—55.

Those who voted in the negative, were,

Messry Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Daughtry, Jenkins, Long, Mordecai, J. W. Neal, Rand, Singeltary, Tomlinson, Whitaker and S. A. Williams—14.

The rule being suspended, the bill was read the third time and rejected; yeas 32, nays 37.

The yeas and nays demanded by Mr. D. F. Caldwell.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Bryson, J. G. Bynum, A. H. Caldwell, Cofield, Dargan, Gilliam, G. Green, Grist, J. H. Headen, Houston, Jones, H. Leach, Love, McDuffie, McMillan, Mann, March, Meares, Patterson, Perkins, Russell, Selby, Shaw, Stubbs, Vance, G. M. White, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams and T. H. Wılliams—32.

Those who voted in the negative, were,

Messrs. Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Daughtry, Davenport, Furr, Garland, Gorrell, A. D. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Long, McKesson, Martin, Mordecai, J. W. Neal, S. J. Neal, Patton, Phillips, Rand, Roland, Rose, Shepherd, Sherrill, Singeltary, Smith, Thornburg, Tomlinson, Turner, Waugh, L. Whitfield, S. A. Williams and Yancey—37.

Mr. Singeltary presented the following resolution:

Resolved, That a message be sent to the Senate proposing that the joint resolution for adjournment on Saturday, 12 o'clock, be rescinded, and that the two Houses adjourn at 5 o'clock, A. M. on Friday.

Mr. Waugh moved to lay the resolution upon the table, which motion was lost; yeas 31, nays 41.

The yeas and nays demanded by Mr. J. Barnes.

Those who voted in the affirmative, were,

Messrs. Barringer, Black, Bryson, J. G. Bynum, A. H. Caldwell, Cofield, Cotten, Garland, Gilliam, Houston, Jones, Hugh Leach, Love, McDuffie, McKesson, McMillan, Meares, S. J. Neal, Patterson, Patton, Roland, Rose, Shepherd, Stubbs, Tomlinson, Waugh, G. M. White, N. B. Whitfield, Wilkins, T. H. Williams and Yancey—31.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, Bullock, J. B. Bynum, D. F. Caldwell, Dargan, Daughtry, Davenport, Furr, Gorrell, G. Green, Grist, A. Headen, J. H. Headen, Hill, Holland, Humphrey, Jarvis, Jenkins, Long, Martin, Mordecai, J. W. Neal, Outlaw, Phillips, Rand, Russell, Selby, Shaw, Sherrill, Singeltary, Smith, Thornburg, Turner, Vance, Whitaker, L. Whitfield, B. F. Williams, D. Williams, S. A. Williams and Winston—41.

Mr. Singeltary now withdrew his resolution.

Mr. S. A. Williams presented the following resolution, which was read and on motion laid upon the table:

Resolved, That after 3 o'clock this day, no bills shall be acted on by this House, except engrossed bills from the Senate, and bills in this House on their third reading.

On motion by Mr. Humphrey, the vote by which was rejected the bill to increase the capital of the Commercial Bank of Wilmington, was reconsidered; the said bill was then taken up, amended, passed and ordered to be engrossed.

The engrossed Bill to amend an act incorporating the Tuckasege and Keowa Turnpike Company, in the county of Jackson, was read the first time and passed; the rule being suspended the same was read the second time and passed; yeas 51, nays 11.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Amis, Barringer, Black, Bryson, J. G. Bynum, A. H.

Caldwell, D. F. Caldwell, Cansler Cofield, Dargan, Furr, Garland Gorrell, G. Green, A. D. Headen, J. H. Headen, Hill, Holland Houston, H. Leach, Love, McDuffie, McKesson, McMillan, Meares, Mordecai, J. W. Neal, S. J. Neal, Patton, Perkins, Phillips, Rand, Roland, Rose, Russell, Shaw, Shepherd, Singeltary, Smith, Stubbs, Thornburg, Tomlinson, Turner, Vance, Waugh, L. Whitfield, N. B. Whitfield, B. F. Williams, T. H. Williams, Winston and Yancey—51.

Those who voted in the negative, were,

Messrs. J. B. Bynum, Cotton, Daughtry, Jarvis, Jenkins, Jones, Long, Martin, Selby, Whitaker and S. A. Williams—11.

On motion, the rule was again suspended, and the bill was read the third time, passed, and ordered to be enrolled.

The hour having now arrived under the rule, the House took a recess.

Three o'clock, P. M.

Mr. Gilliam asked for and obtained leave of absence for Mr. A. D. Headen from and after this day.

The engrossed bill to incorporate the Pamlico and Albemarle Insurance Company, was read the first time and passed; the rule being suspended, the same was read the second and third time, passed, and ordered to be enrolled.

The engrossed bill to more effectually secure a compliance with the terms of their charter by the banks chartered at the present session of the General Assembly, or that may henceforth be chartered in this State, was read the first time and passed; the rule being suspended, the same was read the second time, amended, and passed; the rule being again suspended, it was read the third time and passed.

Received from the Senate a message, informing that they have passed the engrossed bill from the House to incorporate the town of White Hall, in the county of Wayne, with amendments, in which they ask the agreement of the House.

The House agreed to the amendments, and the Senate was informed.

Also, a message agreeing to the amendments proposed by the House to the bill to encourage agriculture, and for other purposes, and the said bill was ordered to be enrolled.

Also, a message informing that they have agreed to the first amendment proposed by the House to the engrossed bill to incorporate the bank of Clarendon;

Also, agreed to the second amendment proposed to the said bill, with an amendment, to wit: in lieu of the words "two hundred thousand, insert "fifty thousand," to which amendment to the amendment they ask the concurrence of the House.

Also, agreed to the third amendment to said bill; also, to the fourth amendment, with an amendment, to wit: in lieu of the words "two hundred thousand," as proposed by the House, insert "fifty thousand," to which amendment to the amendment they ask the concurrence of the House.

The Senate also agrees to all the other amendments proposed by the House to said bill.

Mr. Singeltary offered the following amendment to the amendment proposed by the Senate, which was rejected:

Provided, That no loan shall be made by said bank until one-half of the capital stock has been actually paid in, in gold and silver.

The question now recurring upon concurring in the amendments proposed by the Senate, it was determined in the negative; yeas 31, nays 35.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messis. Barringer, Bryson, Bullock, A. H. Caldwell, Cofield, Davenport, Furr, Garland, Gilliam, A. D. Headen, J. H. Headen, Holland, Houston, Humphrey, Jones, Hugh Leach, Long, McDuffie, McMillan, J. W. Neal, S. J. Neal, Roland, Rose, Shaw, Shepherd, Tomlinson, Vance, G. M. White, N. B. Whitfield, T. H. Williams and Winston—31.

Those who voted in the negative, were,

Messrs. Badham, J. Barnes, Blow, J. B. Bynum, J. G. Bynum, D. F. Caldwell, Cotten, Daughtry, Gorrell, G. Green, Grist, Hill, Jarvis, Jenkins, Love, Mann, March, Mordecai, Outlaw, Patton, Perkins, Phillips, Rand, Russell, Singeltary, Smith, Stubbs, Thornburg, Turner, Waugh, L. Whitfield, Wilkins, B. F. Williams. D. Williams and S. A. Williams.—35.

So the House refused to concur in the amendments proposed

by the Senate, and insists upon its amendments, and the Senate informed by message.

Mr. S. A. Williams presented a resolution in favor of Joseph Woltering, which was read the first time and passed.

Mr. Shepherd moved to take up the bill to incorporate the Bank of Salisbury; and

Mr. Singeltary moved to amend the motion, by adding, that when that bill is disposed of, to take up the bill to incorporate Union Bank.

Mr. Jenkins moved to amend by postponing all bank bills until the 4th of March next; which latter amendment was lost; yeas 23, nays 44.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Amis, J. Barnes, D. F. Caldwell, Cotten, Daughtry, Jarvis, Jenkins, Mordecai, J. W. Neal, Outlaw, Rand, Selby, Singeltary, Smith, Tomlinson, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, B. F. Williams, D. Williams, S. A. Williams and Winston—23.

Those who voted in the negative, were,

Messrs. Barringer, Blow, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Dargan, Davenport, Furr, Garland, Gilliam, Gorrell, G. Green, Grist, J. H. Headen, Hill, Holland, Houston, Humphrey, Jones, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Patterson, Patton, Perkins, Phillips, Roland, Rose, Russell, Shaw, Shepherd, Stubbs, Thornburg, Turner, Vance, G. M. White and Wilkins—44.

Mr. Jenkins now moved to lay Mr. Shepherd's motion on the table; which was lost; yeas 26, nays 40.

The yeas and nays demanded by Mr. Jenkins.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, J. Barnes, Bryson, J. G. Bynnm, D. F. Caldwell, Daughtry, J. H. Headen, Jarvis, Jenkins, J. W. Neal, Outlaw, Phillips, Singeltary, Smith, Thornburg, Tomlinson, Turner, Waugh, Whitaker, L. Whitfield, B. F. Williams, D. Williams, S. A. Williams, T. H. Williams and Winston—26.

Those who voted in the negative, were,

Messrs. Barringer, Blow, Bullock, J. G. Bynum, A. H. Caldwell, Dargan, Davenport, Furr, Garland, Gilliam, G. Green, Hill,

Holland, Houston, Humphrey, Jones, H. Leach, Long, McDuffie, McKesson, McMillan, Mann, March, Meares, Mordecai, Patterson, Patton, Perkins, Rand, Roland, Rose, Russell, Shepherd, Stubbs, Vance, G. M. White, N. B. Whitfield and Wilkins—40.

Mr, J. G. Bynum now moved that the hour of recess be postponed fifteen minutes; upon which

Mr. Jenkins demanded the yeas and nays, which were ordered, and

Pending the call of the roll the hour arrived, and the House took a recess.

Seven o'clock, P. M.

The House now proceeded to consider the special order for this hour, being the engrossed bill making provisions for the reduction of the public debt; the same having been read in this House the third time.

Mr. Outlaw submitted the following amendment, which was adopted:

Be it further enacted, That the proceeds of any stock authorized to be sold by this act, which is pledged for the payment of specific bonds heretofore issued, shall remain so pledged, any thing in this act to the contrary notwithstanding.

On motion by Mr. Singeltary, the bill was laid upon the table.

The House now proceeded to the consideration of the unfinished business of last night's session, being an engrossed bill to improve the navigation of Roanoke river.

The pending question being, shall the bill be indefinitely postponed;

Which was carried; yeas 37, nays 26.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative were,

Messrs. J. Barnes, Blow, Bullock, D. F. Caldwell, Cotten, Daughtry, Furr, Garland, Gorrell, G. Green, Hill, Holland, Jenkins, H. Leach, Long, McDuffie, McMillan, Mordecai, J. W. Neal, Patterson, Patton, Phillips, Rand, Rose, Russell, Shaw, Singeltary, Thornburg, Tomlinson, Turner, Vance, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, B. F. Williams and T. H. Williams—37.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Bryson, J. B. Bynum, J. G. Bynum, A. H. Caldwell, Dargan, Gilliam, J. H. Headen, Houston, Humphrey, Jarvis, Jones, Jordan, Love, Mann, March, Meares, S. J. Neal, Outlaw, Roland, Shepherd, Smith, Stubbs, Wilkins and Winston—26.

An engrossed bill in relation to the Superior court of law of Tyrrell county, was read the first time and passed.

The rule being suspended, it was read the second time.

Mr. Outlaw moved to amend the same by striking out "the county of Tyrrell," and inserting "any county in the State," which was adopted.

The bill as amended passed its second and third reading.

The following engrossed bills were read the first time and passed, the rule being suspended, the same were severally read the second and third time, passed and ordered to be enrolled:

A bill to emancipate James G. Hostler, (a slave;)

A bill to incorporate the Nantahala Gold and Copper Mining Company, of Western North Carolina;

A bill to incorporate the Capps Hill Gold Mining Company;

A bill to authorize the president and directors of the literary fund to appoint an agent for swamp lands; and

A resolution in favor of James M. McGowan.

An engrossed bill concerning the Ward Gold Mine Company, was read the first time and passed.

The rule being suspended, the same was read the second time; and

Mr. Smith moved to amend the bill by striking out all after the word "dollars," and insert "divided into such number of shares as the corporation may direct, any law to the contrary notwithstanding"; which was adopted, and the bill as amended passed its second and third reading.

The engrossed bill to aid in the erection of a monument commemorative of the declaration of American independence, was read the second time, and

Mr. Singeltary moved that the same be laid upon the table;

Which motion was carried; yeas 31, nays 29.

The yeas and nays demanded by Mr. Outlaw.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Bryson, Bullock, J. G. Bynum, Cotten, Daughtry, Furr, Garland, Hill, Holland, Houston, Jarvis, Jenkins, Jordan, H. Leach, Long, McDuffie, McMillan, Mordecai, Rose, Russell, Shaw, Singeltary, Thornburg, Tomlinson, Waugh, Whitaker, L. Whitfield, N. B. Whitfield, S. A. Wilhams and T. H. Williams—31.

Those who voted in the negative, were,

Messrs. Amis, Barringer, J. B. Bynum, A. H. Caldwell, D. F. Caldwell, Dargan, Gorrell, J. H. Headen, Love, McKesson, Mann, March, Meares, S. J. Neal, Outlaw, Patterson, Patton, Perkins, Phillips, Rand, Roland, Shepherd, Smith, Stubbs, Turner, Vance, Wilkins, B. F. Williams and Winston—29.

On motion by Mr. Jordan, the vote by which the said bill was laid upon the table, was reconsidered, and Mr. Singeltary offered the following as a substitute:

Strike out all after the enacting clause, and insert, "That the sum of ten thousand dollars to be expended under the direction of the Governor of this State, be, and the same is hereby appropriated for the purpose of erecting a monument in the county of Mecklenburg, as a tribute of respect to the memory of the signers of the Mecklenburg Declaration of Independence."

Mr. Jarvis moved to lay the bill and amendment upon the table, and

Mr. B. F. Williams demanded the yeas and nays, which were accordingly ordered and taken; yeas 12, nays 41.

Those who voted in the affirmative, were,

Messrs. Bryson, Bullock, Daughtry, Hill, Jarvis, Jenkins, McMillan, Singeltary, Tomlinson, Waugh, L. Whitfield and N. B. Whitfield—12.

Those who voted in the negative, were,

Messrs. Amis, J. Barnes, Barringer, J. B. Bynum, D. F. Caldwell, Dargan, Furr, Garland, Gilliam, Gorrell, Grist, J. H. Headen, Holland, Jordan, H. Leach, Long, Love, McKesson, Mann, March, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Phillips, Rand, Roland, Russell, Shaw, Shepherd, Smith, Stubbs, Thornburg, Turner, Vance, Wilkins, B. F. Williams and Winston—41.

The Speaker announced that there was not a quorum present, only 53 members having voted.

Mr. Jenkins moved that this House do now adjourn to to-morrow morning 10 o'clock; and

Mr. B. F. Williams demanded the yeas and nays, which were ordered and taken; yeas 17, nays 38.

Those who voted in the affirmative, were,

Messrs. Blow, Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Daughtry, Hill, Jarvis, Jenkins, McDuffie, Phillips, Singeltary, Smith, Thornburg, Waugh, L. Whitfield and N. B. Whitfield —17.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Bryson, Dargan, Furr, Garland, Gilliam, Gorrell, Grist, J. H. Headen, Holland, Houston, Jordan, H. Leach, Long, Love, McKesson, McMillan, Mann, March, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Patton, Rand, Roland, Russell, Shaw, Shepherd, Stubbs, Thornburg, Vance, Wilkins, B. F. Williams and Winston—38.

The Speaker again announced that there was not a quorum present, but a majority of the members present had voted against the motion to adjourn.

Mr. D. F. Caldwell moved that the House adjourn; and

Mr. Jenkins demanded the yeas and nays;

Which were ordered and taken; yeas 16, nays 38.

Those who voted in the affirmative, were,

Messrs. Bullock, J. B. Bynum, D. F. Caldwell, Cotten, Daughtry, Grist, J. H. Headen, Hill, Jarvis, J. W. Neal, Phillips, Russell, Shaw, Smith, Thornburg and Tomlinson—16.

Those who voted in the negative, were,

Messrs. Amis, Barringer, Bryson, J. G. Bynum, Furr, Garland, Gilliam, Gorrell, Holland, Houston, Jenkins, Jordan, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Meares, Mordecai, S. J. Neal, Outlaw, Patterson, Rand, Roland, Shepherd, Singeltary, Stubbs, Turner, Vance, Waugh, L. Whitfieled, N. B. Whitfield, Wilkins, B. F. Williams and Winston—38.

The Speaker announced that there was no quorum present, but a majority of the members present had voted against the motion to adjourn.

Mr. J. H. Headen moved that the House adjourn; and

Mr. B. F. Williams demanded the yeas and nays;

Which were ordered and taken; yeas 23, nays 31.

Those who voted in the affirmative, were,

Messrs. Amis, Bullock, J. B. Bynum, D. F. Caldwell, Dargan, Furr, Gilliam, Gorrell, Grist, J. H. Headen, Hill, Jarvis, Jenkins, Meares, Patterson, Phillips, Rand, Russell, Thornburg, Tomlinson, N. B. Whitfield, L. Whitfield and Wilkins—23.

Those who voted in the negative, were,

Messrs. Barringer, Bryson, J. G. Bynum, Daughtry, Garland, Holland, Houston, Jones, Jordan, H. Leach, Long, Love, March, McKesson, McDuffie, Meares, Mordecai, S. J. Neal, J. W. Neal, Outlaw, Patton, Roland, Shepherd, Shaw, Singeltary, Stubbs, Turner, Vance, Waugh, Winston and B. F. Williams—31.

The Speaker again announced that there was no quorum present, but a majority of those present had voted against the motion to adjourn.

On motion by Mr. Amis, the House adjourned to to-morrow morning, 10 o'clock.

FRIDAY, FEBRUARY 16, 1855.

Mr. Jenkins submitted the following resolution, which was laid upon the table:

Resolved, That a message be sent to the Senate, proposing to rescand the joint order of the two Houses, and that this General Assembly adjourn on to-day at $2\frac{1}{2}$ o'clock.

Mr. Daughtry presented a resolution in favor of the principal clerks of the two Houses, which was read the first time and passed; the rule being suspended, the same was read the second and third thime, passed and ordered to be engrossed.

Mr. Turner moved to take up the engrossed bill, to aid the erection of a monument commemorative of the Declaration of American Independence, which motion was lost; yeas 28, nays 34.

The yeas and nays demanded by Mr. Singeltary.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Barringer, J. B. Bynum, A. H. Caldwell, Gilliam, Gorrell, G. Green, Grist, J. H. Headen, Jordan, H. Leach, Love, McKesson, Mann, March, Meares, Mordecai,

S. J. Neal, Outlaw, Patterson, Perkins, Rand, Smith, Stubbs, Turner, Vance and B. F. Williams—28.

Those who voted in the negative, were,

Messrs. Blow, Bryson, Bullock, J. G. Bynum, Dargan, Daughtry, Davenport, Furr, Garland, Hill, Holland, Houston, Humphrey, Jarvis, Jenkins, Long, McDuffie, McMillan, Martin, J. W. Neal, Patton, Rose, Russell, Settle, Shaw, Singeltary, Thornburg, Tomlinson, Waugh, L. Whitfield, N. B. Whitfield, Wilkins, S. A. Williams and T. H. Williams—34.

Mr. A. H. Caldwell moved to take up the bill to incorporate the Bank of Salisbury, which motion was lost; yeas 27, nays 35.

The yeas and nays demanded by Mr. A. H. Caldwell.

Those who voted in the affirmative, were,

Messrs. Barringer, J. G. Bynum, A. H. Caldwell, Dargan, Davenport, Furr, Gilliam, Gorrell, G. Green, Houston, Humphrey, Jordan. Love, McDuffie, McKesson, Mann, March, Meares, S. J. Neal, Patterson, Perkins, Rose, Shaw, Stubbs, Vance, Whitaker and Wilkins—27.

Those who voted in the negative, were,

Messrs, Amis, Badham, Blow J. B. Bynum, Daughtry, Garland, Grist, J. H. Headen, Hill, Holland, Jarvis, Jenkins, H. Leach, Long, McMillan, Martin, Mordecai, J. W. Neal, Outlaw, Patton, Rand, Roland, Russell, Settle, Singeltary, Smith, Thornburg, Tomlinson, Turner, Waugh, L. Whitfield, N. B. Whitfield, B. F. Williams, S. A. Williams and T. H. Williams—35.

A bill to amend an act, entitled an act, to provide for a Turn-pike Road from Salisbury west to the line of the State of Georgia, passed at the session of 1848-'9, was read the second time and passed; the rule being suspended, the same was read the third time, passed and ordered to be engrossed.

The following engrossed bills from the Senate, were read the first time and passed; the rule being suspended, they were severally read the second and third time, passed and ordered to be enrolled, to wit:

A bill to incorporate Hamilton and Enfield Plankroad Company;

A bill to empower the commissioners of Wilmington to establish streets, and for other purposes;

A bill creating liens on ships, &c;

A bill to amend an act entitled an act to incorporate Indian Grave Gap Turnpike Company;

A bill to amend an act to exempt persons residing on the banks and islands, between Whalebone Inlet and Cape Hatteras, from serving as jurors;

A bill to open Uwharie river for the free passage of fish;

A bill to amend letters patent granted to W. H. Winder and others, and for other purposes;

A bill to incorporate a company to construct a bridge across the Tennessee river;

A bill to provide for the transmission to the persons of color now in the Republic of Liberia, the funds' belonging to them in this State:

A bill to amend an act entitled an act passed at the session of 1850-'51, to incorporate the Tuckasege and Nantahala Turnpike Company;

A bill to amend an act passed at the session of 1852, to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company;

A bill in regard to the North Carolina Gold and Copper Mining Company;

A bill concerning lands covered by water;

A bill to incorporate the Yadkin Manufacturing Company;

A bill to incorporate the North Carolina Copper Company;

A bill to incorporate the Conrad Hill Gold and Copper Mine, in Davidson county;

A bill to amend an act entitled an act to incorporate the Oconalufta and Quallatown Turnpike Company, passed at the session of 1850-'51;

A bill to amend the 6th section of an act entitled an act concerning Wilkes county, passed at the present session of the General Assembly;

A bill to amend an act passed by the General Assembly at the session of 1852, entitled an act to incorporate the Salisbury, Mocksville and Wilkesboro' Plankroad Company;

A bill to incorporate the Mineral Plankroad Company;

A bill to prevent the felling of timber in Jemmie's Creek, in the county of Davidson;

A bill to provide for the payment of jurors in the counties of Green and Gates;

A bill to incorporate the South Yadkin Navigation Company;

A bill to establish a library of documents for each House of the General Assembly;

A bill to incorporate the Clarendon Coalfield Company;

A bill to amend an act passed in the year 1825, entitled an act for the better government of the town of Wadesboro', in Anson county;

A bill to establish the boundaries of the town of Beaufort;

A bill to incorporate the Howard Gap Turnpike Company;

A bill to incorporate the Salem and Clemmonsville Plankroad Company;

A bill to amend the charter of Nashville;

A bill to incorporate the Rocky Mount and Franklinton Plankroad Company;

A bill to incorporate the town of Columbia, in Tyrrell county;

A bill to incorporate Franklinton Lodge, No. 123, of Free Masons, in the town of Franklinton;

A bill to incorporate the Scotch Ireland Lodge, No. 11, of Ancient York Masons;

A bill to incorporate Pleasant Hill Lodge, of Ancient York Masons, in the county of Alamance;

A bill to incorporate the Hogden Hill Mining Company;

A bill to incorporate Cypress Creek Academy in Jones county;

A bill to incorporate the Fisher's Hill Mining Company;

A bill to authorize the county court of Pitt county to regulate tolls upon the bridge across Tar river, at Greenville;

A bill to incorporate the Wilmington and Smithville Steamboat Company;

A bill relating to roads, bridges, ferries, &c., &c.;

A bill to authorize the construction of dams across the French Broad river, in the counties of Henderson, Buncombe and Madison;

A bill to incorporate the Shocco Springs Company, in the county of Warren;

A bill to incorporate the Salem Savings Institution;

A bill to incorporate the trustees of Woodburn Female Seminary, in the county of Guilford;

A bill to incorporate the trustees of Franklinton Male and Female Institute, in the town of Franklinton;

A bill to incorporate the Beaver-Dam Gold Mountain Vein Mining Plank Sluicing Company;

A bill for the re-incorporation and better regulation of the town of Murfreesboro', in the county of Hertford;

A bill to incorporate the Brunswick Savings Institution;

A bill to incorporate the Greensboro' and Martin's Lime Kiln Plankroad Company;

A bill to incorporate the Danbury Hydraulic Company;

A bill to amend an act to encourage mining;

A bill to incorporate the town of the New Institute, in the county of Iredell;

A bill to amend an act, entitled an act to incorporate the Greensboro' Mutual Insurance Company in 1850-'51;

A bill for the better regulation of the poor, in the county of Randolph;

A bill to incorporate the trustees of the Mariners' Orphan Asylum and Institute, in the county of Carteret.

The following engrossed resolutions from the Senate were read the first time and passed; the rule being suspended, the same were severally read the second and third time and passed, and ordered to be enrolled:

A resolution concerning revenue bill;

A resolution concerning marine hospital;

A resolution in favor of Peter G. Evans;

A resolution concerning a marine hospital in the town of Wilmington;

A resolution in favor of G. W. Bullard;

A resolution in favor of the the public treasurer;

A resolution in favor of J. W. Erwin administrator, &c;

A resolution in favor of I. R. Joiner;

A resolution in favor of Collin McRae;

A resolution directing public treasurer not to receive small bank bills; and

A resolution in favor of Edward Stanly.

An engrossed resolution concerning a survey, was read the first time and passed.

The rule being suspended, the same was read the second time and passed; yeas 33, nays 31.

The yeas and nays demanded by Mr. B. F. Williams.

Those who voted in the affirmative, were,

Messrs. Amis, Badham, Barringer, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Davenport, Furr, Gilliam, Gorrell, J. H. Headen, Hill, Holland, Lancaster, Love, McDuffie, McMillan, Mann, March, Meares, J. W. Neal, S. J. Neal, Patterson, Patton, Roland, Rose, Settle, Shepherd, Singeltary, Waugh and D. Williams—33.

Those who voted in the negative, were,

Messrs. J. Barnes, Blow, J. B. Bynum, Cotten, Dargan, Daughtry, G. Green, Houston, Humphrey, Jarvis, Jenkins, Jordan, H. Leach, Long, Martin, Mordecai, Rand, Russell, Shaw, Smith, Stubbs, Thornburg, Tomlinson, Turner, Whitaker, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, S. A. Williams and T. H. Williams—31.

So the resolution passed its second reading, and the rule being suspended, it was read the third time; and

Mr. Jenkins submitted an amendment, when on motion by Mr. Cotten, the resolution and amendment were laid upon the table; yeas 35, nays 28.

The yeas and nays demanded by Mr. Cotten.

Those who voted in the affirmative, were,

Messrs. J. Barnes, Blow, Bullock, J. B. Bynum, Cotten, Dargan, Daughtry, Grist, Harrison, Holland, Houston, Humphrey, Jarvis, Jenkins, Jordan, H. Leach, Long, Martin, Mordecai, J. W. Neal, Rand, Russell, Shaw, Smith, Thornburg, Tomlinson, Turner, Whitaker, L. Whitfield, N. B. Whitfield, Wilkins, B. F. Williams, D. Williams, S. A. Williams and T. H. Williams—35.

Those who voted in the negative, were,

Messrs. Amis, Badham, Barringer, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Davenport, Furr, Gorrell, G. Green, J. H. Headen, Hill, Lancaster, Love, McDuffie, McMillan, March, Meares, S. J. Neal, Patterson, Patton, Perkins, Roland, Rose, Shepherd, Singeltary and Waugh—28.

Received from the Senate a message, informing that they have passed the engrossed bill from the House to incorporate the Ashville Mutual Insurance Company; and

The bill to amend the charter of Henderson, with amendments, in which they ask the concurrence of the House.

The House agreed to the amendments proposed, and the Senate was informed by message.

Also a message informing that they have disagreed to the amendments proposed by the House to the resolution concerning the distribution of the Revised Code; and

To the resolution concerning the debt due from the Seaboard and Roanoke Railroad Company.

The House receded from its amendments, and ordered the resolutions enrolled, and informed the Senate by message.

Also a message, agreeing to the amendments proposed by the House to the bill to incorporate the Gulf and Deep River Iron Manufacturing Company; and

To the bill to amend and continue in force an act to incorporate the Burrowdale Mining and Transportation Company; and the same were ordered to be enrolled.

Mr. Shepherd submitted a resolution in relation to the lunatic asylum, which was read the first time and passed; the rule being suspended, the same was read the second and third time, passed, and ordered to be engrossed.

Mr. Settle, from the committee on claims, to whom was referred a resolution in favor of Henry J. Brown, reported the same back to the House, and recommended its passage.

The resolution was read the second time and passed; the rule being suspended, it was read the third time, passed, and ordered to be engrossed.

A resolution in favor of the trustees of the Mount Pleasant Academy, in the county of Cherokee, was read the second time; and

Mr. Roland offered a substitute, which was adopted; and the resolution, as amended, passed its second reading; the rule being suspended, the same was read the third time, passed, and ordered to be engrossed.

The engrossed resolution concerning the Farmer's Bank of North Carolina, was read the first time; and

On motion by Mr. Mann, laid upon the table.

The engrossed bill concerning salaries of certain officers, was read the first time and laid upon the table.

Received from the Senate a message, agreeing to the amendments proposed by the House, to the engrossed bill concerning the Ward Gold Mining Company; and

The bill in relation to the superior court of law in Tyrrell county;

Also to the bill to incorporate the North Carolina Copper Company; and

To the resolution in favor of J. R. Jones.

The same were severally ordered to be enrolled.

The hour having arrived, the House took a recess.

Three o'clock, P. M.

On motion by Mr. Singeltary,

Ordered, That a message be sent to the Senate, proposing to adjourn both Houses of the General Assembly at half past 12 o'clock this night.

A resolution authorizing the Governor to supply the Governors of the States and Territories with a copy of Jones' Digest, was read the second time and passed; the rule being suspended, the same was read the third time, passed, and ordered to be engrossed.

A bill concerning color of title, was read the second time and laid upon the table; and also,

A bill concerning the treasury department.

The engrossed resolution to provide for the completing a survey for a railroad from the French Broad River to the Tennessee line, at or near the Duck Town Copper Mines, was read the first time and laid upon the table.

Received from the Senate a message, informing that they have passed the engrossed bill from the House, to provide adequate compensation to certain officers of the State, with a substitute, in which they ask the concurrence of the House; there being no quorum present, the message lies upon the table.

Mr. Waugh asked leave to withdraw the bill to incorporate the bank of Salem, which was granted.

Mr. G. Green asked leave to withdraw the bill to incorporate Union Bank, which was granted.

Received from the Senate a message agreeing to the proposi-

tion of the House to adjourn both Houses of this General Assembly sine die this night, at half past 12 o'clock.

The House now took a recess until 8 o'clock, P. M.

Eight o'clock, P. M.

A bill to amend an act entitled an act to incorporate the Jonathan's Creek and Mountain Turnpike Company, in the county of Haywood, passed at the session of 1846–'7, was read the second time and passed; the rule being suspended, the same was read the third time and passed, and ordered to be engrossed.

The engrossed resolution in relation to a statue of Washington, was read the first time and passed; the rule being suspended, the same was read the second time, and upon the question shall the resolution pass its second reading,

Mr. Amis demanded the yeas and nays, which were accordingly ordered and taken; yeas 50, nays none.

All those present voted in the affirmative, and were,

Messrs. Amis, Badham, Barringer, Bryson, J.B. Bynum, J.G. Bynum, A. H. Caldwell, D. F. Caldwell, Dargan, Daughtry, Davenport, Furr, Garland, Gorrell, G. Green, J. H. Headen, Hill, Holland, Jarvis, Lancaster, H. Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, J. W. Neal, S. J. Neal, Outlaw, Patterson, Perkins, Roland, Rose, Settle, Shepherd, Singeltary, Smith, Stubbs, Turner, Waugh, Whitaker, G. M. White, Wilkins, B. F. Williams, S. A. Williams and T. H. Williams—50.

The Speaker announced that there was not a quorum of the members present, and consequently the resolution was not passed.

Mr. Smith moved a call of the House, which was carried; and the following members answered the call:

Messrs. Amis, Badham, Barringer, Bryson, Bullock, J. B. Bynum, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Dargan, Daughtry, Davenport, Furr, Garland, Gorrell, G. Green, J. H. Headen, Hill, Holland, Jarvis, Jenkins, Jones, Lancaster, Hugh Leach, Long, Love, McDuffie, McKesson, McMillan, Mann, March, Martin, Meares, Mordecai, J. W. Neal, S. J. Neal, Outlaw, Patterson, Perkins, Roland, Rose, Settle, Shaw, Shepherd, Singeltary, Smith, Stubbs, Tomlinson, Turner, Waugh, Whita-

ker, G. M. White, L. Whitfield, Wilkins, B. F. Williams, S. A. Williams and T. H. Williams—57.

Mr. Outlaw moved that the doorkeepers be sent for the absent members.

On motion by Mr. Hill, further proceedings in the call were dispensed with.

Received from the Senate a message, informing that the Senate branch of the committee, appointed under the resolution concerning the Marine Hospital, to memorialize Congress, are Messrs. Rayner and Clark; and the Speaker appointed Messrs. J. G. Bynum, T. H. Williams and J. G. Shepherd, on the part of the House.

On motion by Mr. Hill, the House now took a recess until 12 o'clock this night.

Twelve o'clock.

On motion by Mr. Shepherd,

Ordered, That a message be sent to the Senate, informing that body that this House having acted on all the business before them, is now ready to adjourn sine die.

Received from the Senate a message, informing that that House is also ready to adjourn without day.

Mr. J. G. Bynum presented the following resolution:

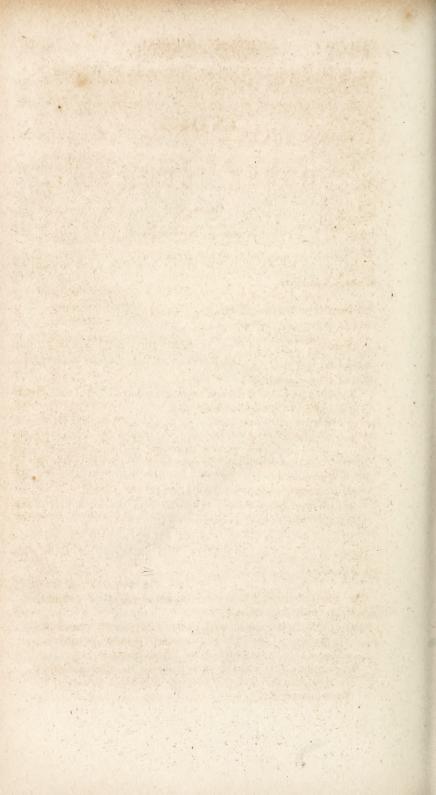
Resolved unanimously, That the thanks of this House be presented to the Honorable Samuel P. Hill, the Speaker thereof, for the able, dignified, and impartial manner with which he has presided over its deliberations during the present session.

Which was unanimously adopted, with the exception of Mr. McKesson, who voted against it.

Whereupon, the Speaker made his acknowledgements to the House in an appropriate address, and adjourned the same without day.

SAMUEL P. HILL, Speaker House of Commons.

By Order, James T. Marriott, Clerk.



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